



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 1-4722-04426/00004  
Mod 0 Effective Date: 08/01/2006 Expiration Date: No expiration date.  
Mod 1 Effective Date: 12/04/2009 Expiration Date: No expiration date.

Permit Issued To: CAITHNESS LONG ISLAND LLC  
565 FIFTH AVE 29TH FL  
NEW YORK, NY 10017

Contact: ROSS D AIN  
CAITHNESS LONG ISLAND LLC  
565 FIFTH AVE 29TH FL  
NEW YORK, NY 10017  
(212) 921-9099

Facility: CAITHNESS LONG ISLAND ENERGY CENTER  
50 ZORN BLVD|SCTM# 777-01-28.4  
SOUTH YAPHANK, NY

Contact: THOMAS A GRACE  
CAITHNESS ENERGY  
565 5TH AVE 29TH FL  
NEW YORK, NY 10017  
(917) 472-4593

Description:  
NATURE OF BUSINESS OF THE FACILITY:

Electric power generation.

4911 (primary SIC) - Electric Services

TYPE OF EQUIPMENT AND OPERATION AT THE FACILITY:

This facility consists of one Siemens-Westinghouse 501F combustion turbine, which shall fire natural gas as its primary fuel with distillate oil as a back-up fuel. The gas turbine shall operate as a combined cycle unit with a nominal power output of 346 MW. The heat recovery steam generator (HRSG) contains supplemental firing from a natural gas only duct burner. The turbine employs dry low NO<sub>x</sub>, steam injection, and a selective catalytic reduction unit (SCR) for control of oxides of nitrogen and catalytic oxidation unit (CO catalyst) for the control of carbon monoxide. The facility also consists of an auxiliary boiler which fires primarily natural gas with distillate oil back-up. The auxiliary boiler employs a low NO<sub>x</sub> burner and flue gas recirculation (FGR) to control emissions of NO<sub>x</sub>. Finally the facility has a natural gas fired fuel gas heater, a diesel fire pump, a steam turbine generator, and a 20,000-gallon aqueous ammonia storage tank..



**AIR PERMIT APPLICABILITY:**

Air State Facility preconstruction permit for a new combined cycle gas turbine facility. The facility's potential emissions are applicable to Title V.

The modification to the permit incorporates the various CAIR regulations contained in 6 NYCRR Part 243; 6 NYCRR Part 244; and 6 NYCRR Part 245.

**CAPPING/NON-APPLICABLE RULES:**

No.

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

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

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



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**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 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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

**Item 1-1.2:**

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

**Item 1-1.3:**

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



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

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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

**Condition 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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

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

**Condition 4: Permit Modifications, Suspensions and Revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 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: 6 NYCRR 621.5 (a)**

**Expired by Mod No: 1**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
SUNY Campus, Loop Road, Building 40  
Stony Brook, NY 11790-2356  
(631) 444-0365

**Condition 1-3: Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 1-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: CAITHNESS LONG ISLAND LLC  
565 FIFTH AVE 29TH FL  
NEW YORK, NY 10017

Facility: CAITHNESS LONG ISLAND ENERGY CENTER  
50 ZORN BLVD | SCTM# 777-01-28.4  
SOUTH YAPHANK, NY

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

Mod 0 Permit Effective Date: 08/01/2006  
date.

Permit Expiration Date: No expiration  
date.

Mod 1 Permit Effective Date: 12/04/2009  
date.

Permit Expiration Date: No expiration  
date.



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR Subpart 231-2: Compliance Demonstration
- 2 6 NYCRR Subpart 231-2: Compliance Demonstration
- 1-1 6 NYCRR 243-1.6 (a): Permit Requirements
- 1-2 6 NYCRR 243-1.6 (b): Monitoring requirements
- 1-3 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
- 1-4 6 NYCRR 243-1.6 (d): Excess emission requirements
- 1-5 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
- 1-6 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
- 1-7 6 NYCRR 243-2.4: Certificate of representation
- 1-8 6 NYCRR 243-8.1: General requirements
- 1-9 6 NYCRR 243-8.1: Prohibitions
- 1-10 6 NYCRR 243-8.5 (d): Quarterly reports
- 1-11 6 NYCRR 243-8.5 (e): Compliance certification
- 1-12 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
- 1-13 6 NYCRR Subpart 244-2: Designated CAIR Representative
- 1-14 6 NYCRR Subpart 244-8: Compliance Demonstration
- 1-15 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
- 1-16 6 NYCRR Subpart 245-2: Designated CAIR Representative
- 1-17 6 NYCRR Subpart 245-8: Compliance Demonstration
- 3 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 4 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 5 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 6 40CFR 60.7(c), NSPS Subpart A: Compliance Demonstration
- 7 40CFR 60.7(e), NSPS Subpart A: Monitoring frequency waiver.
- 8 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 9 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 10 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 11 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
- 12 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 13 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 14 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 15 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 16 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 17 40CFR 60.12, NSPS Subpart A: Circumvention.
- 18 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 19 40CFR 60.14, NSPS Subpart A: Modifications.
- 20 40CFR 60.15, NSPS Subpart A: Reconstruction
- 21 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

#### Emission Unit Level

**EU=U-00001**



- 22 6 NYCRR 204-1.6: Permit requirements (facilities commencing operation on or after 01/00)
- 23 6 NYCRR 204-2.1: Submissions to the Department.
- 24 6 NYCRR 204-4.1: Content of reports and compliance certifications.
- 25 6 NYCRR 204-4.1: Discretionary report contents.
- 26 6 NYCRR 204-4.1: Compliance Demonstration
- 27 6 NYCRR 204-7.1: Submission of NOx allowance transfers.
- 28 6 NYCRR 204-8.1: General provisions.
- 29 6 NYCRR 204-8.1: Prohibitions.
- 30 6 NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 31 6 NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 32 6 NYCRR 204-8.2: Compliance Demonstration
- 33 6 NYCRR 204-8.3: Out of control periods.
- 34 6 NYCRR 204-8.4: Compliance Demonstration
- 35 6 NYCRR 204-8.7: Compliance Demonstration
- 36 6 NYCRR Subpart 231-2: Compliance Demonstration
- 37 6 NYCRR Subpart 231-2: Compliance Demonstration
- 38 6 NYCRR Subpart 231-2: Compliance Demonstration
- 39 6 NYCRR Subpart 231-2: Compliance Demonstration
- 40 6 NYCRR Subpart 231-2: Compliance Demonstration
- 41 6 NYCRR Subpart 231-2: Compliance Demonstration
- 42 6 NYCRR Subpart 231-2: Compliance Demonstration
- 43 6 NYCRR Subpart 231-2: Compliance Demonstration
- 44 6 NYCRR Subpart 231-2: Compliance Demonstration
- 45 6 NYCRR Subpart 231-2: Compliance Demonstration
- 46 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Demonstration

**EU=U-00001,EP=EP001**

- 47 6 NYCRR 227-1.3 (a): Compliance Demonstration

**EU=U-00002**

- 48 6 NYCRR Subpart 231-2: Compliance Demonstration
- 49 6 NYCRR Subpart 231-2: Compliance Demonstration
- 50 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source
- 51 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.

**EU=U-00002,EP=EP002**

- 52 6 NYCRR 227-1.3: Compliance Demonstration
- 53 6 NYCRR 227-1.3 (a): Compliance Demonstration

**EU=U-00003,EP=EP003**

- 54 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 55 6 NYCRR Subpart 231-2: Compliance Demonstration

**EU=U-00003,EP=EP004**

- 56 6 NYCRR 227-1.3 (a): Compliance Demonstration



57 6 NYCRR Subpart 231-2: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 58 ECL 19-0301: Contaminant List
- 59 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 60 6 NYCRR Subpart 201-5: Steady state emission requirements.
- 61 6 NYCRR Subpart 201-5: Emission Unit Definition
- 62 6 NYCRR Subpart 201-5: Compliance Demonstration
- 63 6 NYCRR Subpart 201-5: Compliance Demonstration
- 64 6 NYCRR Subpart 201-5: Compliance Demonstration
- 65 6 NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

- 66 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 67 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

**EU=U-00001**

- 68 6 NYCRR Subpart 201-5: Compliance Demonstration
- 69 6 NYCRR Subpart 201-5: Compliance Demonstration
- 70 6 NYCRR Subpart 201-5: Compliance Demonstration
- 71 6 NYCRR Subpart 201-5: Compliance Demonstration
- 72 6 NYCRR Subpart 201-5: Compliance Demonstration
- 73 6 NYCRR Subpart 201-5: Compliance Demonstration
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- 76 6 NYCRR Subpart 201-5: Compliance Demonstration
- 77 6 NYCRR Subpart 201-5: Compliance Demonstration
- 78 6 NYCRR Subpart 201-5: Compliance Demonstration
- 79 6 NYCRR Subpart 201-5: Compliance Demonstration
- 80 6 NYCRR Subpart 201-5: Compliance Demonstration
- 81 6 NYCRR Subpart 201-5: Compliance Demonstration
- 82 6 NYCRR Subpart 201-5: Compliance Demonstration
- 83 6 NYCRR Subpart 201-5: Compliance Demonstration
- 84 6 NYCRR Subpart 201-5: Compliance Demonstration
- 85 6 NYCRR Subpart 201-5: Compliance Demonstration
- 86 6 NYCRR Subpart 201-5: Compliance Demonstration
- 87 6 NYCRR Subpart 201-5: Compliance Demonstration
- 88 6 NYCRR Subpart 201-5: Compliance Demonstration
- 89 6 NYCRR Subpart 201-5: Compliance Demonstration
- 90 6 NYCRR Subpart 201-5: Compliance Demonstration
- 91 6 NYCRR 237-1.4 (a): Applicable Units, nameplate capacity of 25 MWe or greater
- 92 6 NYCRR 237-1.6 (a): Permit requirements to be included in new permits or units
- 93 6 NYCRR 237-1.6 (c): Compliance Demonstration
- 94 6 NYCRR 237-1.6 (e): Recordkeeping and Reporting Requirements
- 95 6 NYCRR 237-1.6 (f): Liability
- 96 6 NYCRR 237-1.6 (g): Effect on other Authorities
- 97 6 NYCRR Subpart 237-2: Authorization and responsibilities of the NOx authorized account representative
- 98 6 NYCRR 237-4.1: Compliance Demonstration
- 99 6 NYCRR 237-7.1: Submission of NOx allowance transfers



- 100 6 NYCRR Subpart 237-8: Compliance Demonstration
- 101 6 NYCRR 238-1.4: Applicability
- 102 6 NYCRR 238-1.6 (a): Permit Requirements
- 103 6 NYCRR 238-1.6 (c): Compliance Demonstration
- 104 6 NYCRR 238-1.6 (e): Compliance Demonstration
- 105 6 NYCRR 238-1.6 (f): Liability
- 106 6 NYCRR 238-1.6 (g): Effect on Other Authorities
- 107 6 NYCRR 238-2.1: Submissions to the Department
- 108 6 NYCRR 238-4.1: Compliance Demonstration
- 109 6 NYCRR 238-7.1: Submission of SO2 allowance transfers
- 110 6 NYCRR Subpart 238-8: Compliance Demonstration

**EU=U-00002**

- 111 6 NYCRR Subpart 201-5: Compliance Demonstration
- 112 6 NYCRR Subpart 201-5: Compliance Demonstration
- 113 6 NYCRR Subpart 201-5: Compliance Demonstration
- 114 6 NYCRR Subpart 201-5: Compliance Demonstration
- 115 6 NYCRR Subpart 201-5: Compliance Demonstration
- 116 6 NYCRR Subpart 201-5: Compliance Demonstration
- 117 6 NYCRR Subpart 201-5: Compliance Demonstration

**EU=U-00003,EP=EP003**

- 118 6 NYCRR Subpart 201-5: Compliance Demonstration
- 119 6 NYCRR Subpart 201-5: Compliance Demonstration

**EU=U-00003,EP=EP004**

- 120 6 NYCRR Subpart 201-5: Compliance Demonstration
- 121 6 NYCRR Subpart 201-5: Compliance Demonstration
- 122 6 NYCRR Subpart 201-5: Compliance Demonstration
- 123 6 NYCRR Subpart 201-5: Compliance Demonstration
- 124 6 NYCRR Subpart 201-5: Compliance Demonstration



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

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

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

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.

**Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: Emergency Defense - 6 NYCRR 201-1.5**

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

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

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

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



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

**Item F: Recycling and Salvage - 6 NYCRR 201-1.7**

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 6 NYCRR.

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

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

**Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

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 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item J: Required Emission Tests - 6 NYCRR 202-1.1**



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

**Item K: Visible Emissions Limited - 6 NYCRR 211.3**

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.

**Item L: Open Fires - 6 NYCRR Part 215**

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

**Item M: 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 N: 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.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR Subpart 231-2**

**Item 1.1:**

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

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 1.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limited to 90.3 tons per year of oxides of nitrogen emissions. Based on this limit the facility will be required to purchase emissions reduction credits at a ratio of 1.3 to 1 to offset these emissions. The facility will demonstrate compliance by tracking combustion equipment CEM data or fuel use and applying the permitted NO<sub>x</sub> emission limits (on a lb/mmBtu basis) as follows:

$$\text{NO}_x \text{ Tons} = [\text{CEMCC} + \text{HIAB-NG} \times 0.011 + \text{HIAB-FO} \times 0.10 + \text{HIGH} \times 0.058 + \text{HIFP} \times 1.97] / 2000$$

where:

CEMCC = combined cycle CEM lb NO<sub>x</sub>

HIAB-NG = auxiliary boiler natural gas heat input

HIAB-FO = auxiliary boiler fuel oil heat input.

HIGH = fuel gas heater heat input

HIFP = diesel fire pump heat input

The data collected shall be maintained on site for a minimum of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



Process Material: FUEL

Manufacturer Name/Model Number: NOx Analyzer & Fuel Flow Meter

Upper Permit Limit: 90.3 tons per year

Reference Test Method: 40 CFR Parts 60 & 75

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR Subpart 231-2**

**Item 2.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limited to 62.9 tons per year of volatile organic compounds emissions. Based on this limit the facility will be required to purchase emissions reduction credits at a ratio of 1.3 to 1 to offset these emissions. The facility will demonstrate compliance by tracking combustion equipment fuel use and applying the permitted VOC emission limits (on a lb/mmBtu basis) as follows:

$$\text{VOC Tons} = [\text{HICC-NG} \times 0.0016 + \text{HICC-NGwDB} \times 0.0023 + \text{HICC-FO} \times 0.0060 + \text{HICC-FOwDB} \times 0.0110 + \text{HIAB-NG} \times 0.006 + \text{HIAB-FO} \times 0.03 + \text{HIGH} \times 0.011 + \text{HIFP} \times 0.084] / 2000$$

where:

HICC-NG = combined cycle heat input on natural gas

HICC-NGwDB = combined cycle heat input on natural gas

HICC-FO = combined cycle heat input on fuel oil



HICC-FOWDB = combined cycle heat input on fuel oil with duct burner  
HIAB-NG = auxiliary boiler natural gas heat input  
HIAB-FO = auxiliary boiler fuel oil heat input.  
HIGH = fuel gas heater heat input  
HIFP = diesel fire pump heat input

The data collected shall be maintained on site for a minimum of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL

Manufacturer Name/Model Number: Fuel Flow Meter

Upper Permit Limit: 62.9 tons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 1-1: Permit Requirements**

**Effective between the dates of 12/04/2009 and Permit Expiration Date**

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

**Item 1-1.1:**

The CAIR designated representative of each CAIR NO<sub>x</sub> Ozone Season source shall:

- (i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
- (ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

The owners and operators of each CAIR NO<sub>x</sub> Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.

**Condition 1-2: Monitoring requirements**

**Effective between the dates of 12/04/2009 and Permit Expiration Date**

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

**Item 1-2.1:**

The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NO<sub>x</sub> Ozone Season source with the CAIR NO<sub>x</sub> Ozone Season emissions limitation under subdivision (c) of this section.

**Condition 1-3: NO<sub>x</sub> Ozone Season Emission Requirements**

**Effective between the dates of 12/04/2009 and Permit Expiration Date**

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



**Item 1-3.1:**

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

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

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

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

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

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

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

**Condition 1-4: Excess emission requirements  
Effective between the dates of 12/04/2009 and Permit Expiration Date**

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

**Item 1-4.1:**

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

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

(2) each ton of such excess emissions and each day of such control period shall constitute a



separate violation of this Subpart, the Act, and applicable State law.

**Condition 1-5: Recordkeeping and reporting requirements**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

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

**Item 1-5.1:**

Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

- (i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.
- (ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year period shall apply.
- (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.

**Condition 1-6: Authorization and responsibilities of CAIR designated representative**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 243-2.1**

**Item 1-6.1:**

Except as provided under section 243-2.2, each CAIR NO<sub>x</sub> Ozone Season source, including all CAIR NO<sub>x</sub> Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NO<sub>x</sub> Ozone Season Trading Program concerning the source or any CAIR NO<sub>x</sub> Ozone Season unit at the source.

The CAIR designated representative of the CAIR NO<sub>x</sub> Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NO<sub>x</sub> Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the



CAIR NO<sub>x</sub> Ozone Season source represented and each CAIR NO<sub>x</sub> Ozone Season unit at the source in all matters pertaining to the CAIR NO<sub>x</sub> Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

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

Each submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO<sub>x</sub> Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 1-7: Certificate of representation**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 243-2.4**

**Item 1-7.1:**

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

**Condition 1-8: General requirements**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 243-8.1**

**Item 1-8.1:**

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NO<sub>x</sub> Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NO<sub>x</sub> Ozone Season unit but that is monitored under 40 CFR



75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NO<sub>x</sub> Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NO<sub>x</sub> Ozone Season unit shall:

- (1) install all monitoring systems required under this Subpart for monitoring NO<sub>x</sub> mass emissions and individual unit heat input (including all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph (a)(1) of this section; and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 1-9: Prohibitions**

**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 243-8.1**

**Item 1-9.1:**

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NO<sub>x</sub> emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NO<sub>x</sub> mass emissions discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:

- (i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
- (ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
- (iii) the CAIR designated representative submits notification of the date of certification testing of



a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

**Condition 1-10: Quarterly reports**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

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

**Item 1-10.1:**

The CAIR designated representative shall submit quarterly reports, as follows:

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

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

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

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

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

**Condition 1-11: Compliance certification**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

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

**Item 1-11.1:**

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

(1) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and



specifications;

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

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NOx emission rate and NOx concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NOx emissions.

**Condition 1-12: CAIR NOx Annual Trading Program General Conditions**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 244-1**

**Item 1-12.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NOx allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NOx unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]

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

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

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

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided



that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

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

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

**Condition 1-13: Designated CAIR Representative**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 244-2**

**Item 1-13.1:**

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

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

**Condition 1-14: Compliance Demonstration**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 244-8**

**Item 1-14.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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



**Item 1-14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

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

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

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

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

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



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

(ii) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions.

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

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO<sub>x</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NO<sub>x</sub> monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)



Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-15: CAIR SO2 Trading Program General Provisions**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 245-1**

**Item 1-15.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO<sub>2</sub> source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source. A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.

[(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO<sub>2</sub> unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

[(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.



**Condition 1-16: Designated CAIR Representative**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 245-2**

**Item 1-16.1:**

1) Each CAIR SO<sub>2</sub> source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO<sub>2</sub> Trading Program. The CAIR designated representative of the CAIR SO<sub>2</sub> source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO<sub>2</sub> units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO<sub>2</sub> source represented and each CAIR SO<sub>2</sub> unit at the source in all matters pertaining to the CAIR SO<sub>2</sub> Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.  
[245-2.1(a), (b) & (c)]

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

**Condition 1-17: Compliance Demonstration**  
**Effective between the dates of 12/04/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 245-8**

**Item 1-17.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 1-17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO<sub>2</sub> emissions:



1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO<sub>2</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO<sub>2</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO<sub>2</sub> unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO<sub>2</sub> unit. [245-8.1]

2) The owner or operator of each CAIR SO<sub>2</sub> unit shall:  
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO<sub>2</sub> mass emissions and individual unit heat input (including all systems required to monitor SO<sub>2</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

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

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

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.  
[245-8.1(b)]

(i) For the CAIR SO<sub>2</sub> unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO<sub>2</sub> unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.



4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO<sub>2</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

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

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

7) The owner or operator of a CAIR SO<sub>2</sub> unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

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

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat



input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

- i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or
- ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.

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

11) For CAIR SO<sub>2</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO<sub>2</sub> mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

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

- i) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications; and
- ii) for a unit with add-on SO<sub>2</sub> emission controls and for all hours where SO<sub>2</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO<sub>2</sub> emissions.

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 3 calendar month(s).

**Condition 3: EPA Region 2 address.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 3.1:**

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 4: Date of construction notification - If a COM is not used.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 4.1:**

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;
- 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.

**Condition 5: Recordkeeping requirements.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 5.1:**

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 6: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 6.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

3) the date and time identifying each period during which the continuous monitoring system was inoperative except



for zero and span checks and the nature of the system repairs or adjustments; and

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

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 7: Monitoring frequency waiver.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 7.1: Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the conditions in 40 CFR 60.7(e) are met.**

**Condition 8: Facility files for subject sources.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 8.1:**

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 9: Notification Similar to State or Local Agency**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 9.1:**

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

**Condition 10: Performance testing timeline.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



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

**Item 10.1:**

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

**Condition 11: Performance Test Methods - Waiver**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 11.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 12: Required performance test information.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 12.1:**

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

**Condition 13: Prior notice.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 13.1:**

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

**Condition 14: Performance testing facilities.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 14.1:**

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

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;



- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 15: Number of required tests.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 15.1:**

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 16: Opacity standard compliance testing.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A**

**Item 16.1:**

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

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

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

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

**Condition 17: Circumvention.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 17.1:**

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

**Condition 18: Monitoring requirements.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A**

**Item 18.1:**

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and





after 01/00)

Effective between the dates of 08/01/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 204-1.6

**Item 22.1:**

This Condition applies to Emission Unit: U-00001

**Item 22.2:** The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

**Condition 23: Submissions to the Department.**

Effective between the dates of 08/01/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 204-2.1

**Item 23.1:**

This Condition applies to Emission Unit: U-00001

**Item 23.2:** Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

**Condition 24: Content of reports and compliance certifications.**

Effective between the dates of 08/01/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 204-4.1

**Item 24.1:**

This Condition applies to Emission Unit: U-00001

**Item 24.2:** The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

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





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 27: Submission of NOx allowance transfers.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-7.1**

**Item 27.1:**

This Condition applies to Emission Unit: U-00001

**Item 27.2:** The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

**Condition 28: General provisions.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-8.1**

**Item 28.1:**

This Condition applies to Emission Unit: U-00001

**Item 28.2:** 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 29: Prohibitions.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-8.1**

**Item 29.1:**





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 31: Requirements for recertification of monitoring systems.  
Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-8.2**

**Item 31.1:**

This Condition applies to Emission Unit: U-00001

**Item 31.2:** Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

**Condition 32: Compliance Demonstration  
Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-8.2**

**Item 32.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 32.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

New York State Department of Environmental Conservation

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 33: Out of control periods.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-8.3**

**Item 33.1:**

This Condition applies to Emission Unit: U-00001

**Item 33.2:** Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

**Condition 34: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 204-8.4**

**Item 34.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 34.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NO<sub>x</sub> Budget unit shall submit written notice to the Department and the USEPA Administrator in accordance with the requirements of this subpart as follows:

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

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

The address for the USEPA Administrator is as follows:



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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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 36: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 36.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 36.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen. This condition applies while the combustion turbine is firing distillate oil without duct firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: NOx analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.025 pounds per million Btus

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 37: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

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**Item 37.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 37.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition limits VOC emissions while the combustion turbine is firing distillate oil with duct firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: VOC

Upper Permit Limit: 23.9 pounds per hour

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 38:      Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 38.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 38.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen. This condition applies while the combustion turbine is firing natural gas with or without duct firing. The data collected shall be maintained on site for a

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minimum of five years.

Manufacturer Name/Model Number: NOx Analyzer  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 2.0 parts per million by volume  
(dry, corrected to 15% O2)

Reference Test Method: 40 CFR Part 75  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR ROLLING AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 39: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 39.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 39.2:**

Compliance Demonstration shall include the following monitoring:

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

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen. This condition applies while the combustion turbine is firing distillate oil without duct firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: NOx Analyzer  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 6.0 parts per million by volume  
(dry, corrected to 15% O2)

Reference Test Method: 40 CFR Part 75  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR ROLLING AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 40: Compliance Demonstration**



**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 40.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 40.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen. This condition applies while the combustion turbine is firing natural gas with or without duct firing.

The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: NOx analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.0076 pounds per million Btus

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 41: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 41.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 41.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

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**Monitoring Description:**

This condition limits VOC emissions while the combustion turbine is firing natural gas without duct firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: VOC

Upper Permit Limit: 3.5 pounds per hour

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 42: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 42.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 42.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition limits VOC emissions while the combustion turbine is firing distillate oil without duct firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: VOC

Upper Permit Limit: 11.9 pounds per hour

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 43: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 43.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 43.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen. This condition applies while the combustion turbine is firing distillate oil with duct firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: NOx analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.027 pounds per million Btus

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 44: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 44.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 44.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain,

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and operate a continuous emissions monitor for oxides of nitrogen. This condition applies while the combustion turbine is firing distillate oil with duct firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: NOx Analyzer  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 6.8 parts per million by volume  
(dry, corrected to 15% O2)  
Reference Test Method: 40 CFR Part 75  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR ROLLING AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 45: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 45.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 45.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition limits VOC emissions while the combustion turbine is firing natural gas with duct firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: VOC  
Upper Permit Limit: 6.1 pounds per hour  
Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 46: Compliance Demonstration**



**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.334(h)(3), NSPS Subpart GG**

**Item 46.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 46.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of 40 CFR 60.334(h), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 47: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 47.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Emission Point: EP001

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**Item 47.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: MONTHLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 48: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR Subpart 231-2**

**Item 48.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

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

**Item 48.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to oxides of nitrogen emissions when the auxiliary boiler is firing distillate oil. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 49: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 49.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

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

**Item 49.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to oxides of nitrogen emissions when the auxiliary boiler is firing natural gas. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.011 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 50: Applicability of this Subpart to this emission source**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.40c, NSPS Subpart Dc**

**Item 50.1:**

This Condition applies to Emission Unit: U-00002

**Item 50.2:**

This emission source is subject to the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

**Condition 51: Enforceability.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable Federal Requirement:40CFR 60.42c(i), NSPS Subpart Dc**

**Item 51.1:**

This Condition applies to Emission Unit: U-00002

**Item 51.2:**

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

**Condition 52: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 227-1.3**

**Item 52.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002 Emission Point: EP002

**Item 52.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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



date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**\*\* NOTE \*\*** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 11/29/2006.

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

**Condition 53: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 53.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Emission Point: EP002

**Item 53.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall

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operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 54: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 54.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Emission Point: EP003

**Item 54.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
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**Condition 55: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable Federal Requirement:6 NYCRR Subpart 231-2**

**Item 55.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003 Emission Point: EP003

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

**Item 55.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to oxides of nitrogen emissions from the fuel gas heater. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 0.050 pounds per million Btus  
Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 56: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 56.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003 Emission Point: EP004

**Item 56.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

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Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 57: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR Subpart 231-2**

**Item 57.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003                      Emission Point: EP004

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

**Item 57.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to oxides of nitrogen emissions from the diesel fire pump. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 1.97 pounds per million Btus  
Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).



**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

**Item B: 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 only enforceable.**



**Condition 58: Contaminant List**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:ECL 19-0301**

**Item 58.1:**

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

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

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

CAS No: 007664-41-7  
Name: AMMONIA

CAS No: 007664-93-9  
Name: SULFURIC ACID

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

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

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

**Condition 59: Unavoidable noncompliance and violations**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 59.1:**

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

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contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

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

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

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

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

**Condition 60: Steady state emission requirements.**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 60.1: The emissions of NOx, CO, and ammonia from the combustion turbines are** monitored by continuous emissions monitors (CEMs), and apply only during periods of steady state operation of the combustion turbines. The owner or operator is required to define periods of start-up, shutdown, and fuel switching. Based on these definitions the owner or operator must develop emission limits for NOx, CO, and ammonia during the periods of start-up, shutdown, and fuel switching for both natural gas and distillate oil firing modes of combustion turbine operation.

**Condition 61: Emission Unit Definition**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**



**Item 61.1(From Mod 0):**

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit consists of one Siemens-Westinghouse 501F combustion turbine and a duct fired HRSG. The combustion turbine will fire primarily natural gas with distillate oil back-up. The duct burner is limited to firing only natural gas. The turbine uses dry low NOx technology and steam injection in combination with a SCR to control emissions of NOx. The turbine also employs an oxidation catalyst to control emissions of carbon monoxide, VOCs, and HAPs.

Building(s): GEN01

**Item 61.2(From Mod 0):**

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

Emission Unit: U-00002

Emission Unit Description:

This emission unit consists of an auxiliary boiler which fires natural gas as its primary fuel with distillate oil back-up. The boiler uses a low NOx burner in combination with flue gas recirculation to control emissions of NOx.

Building(s): GEN01

**Item 61.3(From Mod 0):**

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

Emission Unit: U-00003

Emission Unit Description:

This emission unit consists of a natural gas fired fuel gas heater and a diesel fire pump.

**Condition 62: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 62.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 62.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator shall not fire distillate oil with a sulfur content greater than 0.04% by weight. Sulfur content shall be measured on a per delivery basis. Records of sulfur content shall be maintained at the

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facility for a minimum of five years.

Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.04 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 63: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 63.1:**

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

Emission Unit: U-00001

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

**Item 63.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility is limited to 270.9 tons per year of carbon monoxide emissions. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 270.9 tons per year  
Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 64: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 64.1:**





Effective between the dates of 08/01/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

**Item 66.1(From Mod 0):**

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

Emission Unit: U-00001

Emission Point: EP001

Height (ft.): 170

Diameter (in.): 240

NYTMN (km.): 4520.2

NYTME (km.): 673.74

Building: GEN01

**Item 66.2(From Mod 0):**

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

Emission Unit: U-00002

Emission Point: EP002

Height (ft.): 170

Diameter (in.): 24

NYTMN (km.): 4520.17

NYTME (km.): 673.73

Building: GEN01

**Item 66.3(From Mod 0):**

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

Emission Unit: U-00003

Emission Point: EP003

Height (ft.): 18

Diameter (in.): 16

Emission Point: EP004

Height (ft.): 7 Diameter (in.): 6

**Condition 67: Process Definition By Emission Unit**

Effective between the dates of 08/01/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

**Item 67.1(From Mod 0):**

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: Combustion turbine firing natural gas.

Emission Source/Control: CT001 - Combustion

Design Capacity: 2,221 million Btu per hour

Emission Source/Control: OXY01 - Control

Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR01 - Control



Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 67.2(From Mod 0):**

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:  
Combustion turbine firing natural gas in combination with  
the duct burner firing natural gas.

Emission Source/Control: CT001 - Combustion  
Design Capacity: 2,221 million Btu per hour

Emission Source/Control: DB001 - Combustion  
Design Capacity: 494 million Btu per hour

Emission Source/Control: OXY01 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR01 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 67.3(From Mod 0):**

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

Emission Unit: U-00001  
Process: P03 Source Classification Code: 2-01-001-01  
Process Description:  
Combustion turbine firing distillate oil. When the  
combustion turbine fires distillate oil the heat input is  
2,125 mmBtu/hr.

Emission Source/Control: CT001 - Combustion  
Design Capacity: 2,221 million Btu per hour

Emission Source/Control: OXY01 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR01 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 67.4(From Mod 0):**

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

Emission Unit: U-00001  
Process: P04 Source Classification Code: 2-01-001-01  
Process Description:  
Combustion turbine firing distillate oil in combination  
with the duct burner firing natural gas. During this  
operating scenario the duct burner is limited to operating  
at no more than 369 mmBtu/hr heat input.



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Emission Source/Control: DFP01 - Combustion  
Design Capacity: 300 horsepower (mechanical)

**Condition 68: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 68.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 68.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The duct burner shall not fire at a heat rate greater than 369 mmBtu/hr when the combustion turbine is firing distillate oil. The owner or operator shall keep records of the heat rate of the duct burner when it fires in combination with the combustion turbine firing distillate oil. The owner or operator shall maintain duct burner heat rate records on site for a minimum of five years.

Parameter Monitored: HEAT INPUT

Upper Permit Limit: 369 million Btu per hour

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 69: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 69.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-93-9 SULFURIC ACID

**Item 69.2:**

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Facility DEC ID: 1472204426



Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to sulfuric acid mist emissions while the combustion turbine fires distillate oil with or without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: SULFURIC ACID

Upper Permit Limit: 31.9 pounds per hour

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 70: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 70.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 70.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires natural gas with the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 17.0 pounds per hour

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

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**Condition 71: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 71.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 71.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The combustion turbine shall not operate below 75% load except during periods of start-up, shutdown, or malfunction. The owner or operator shall maintain percent load operation records on site for a minimum of five years.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 72: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 72.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-93-9      SULFURIC ACID

**Item 72.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to sulfuric acid mist emissions while the combustion turbine fires natural gas with or without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: SULFURIC ACID

Upper Permit Limit: 0.0004 pounds per million Btus

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Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 73: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 73.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 73.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The combustion turbine shall fire a maximum of 10,928,571 gallons of distillate oil during any 12 month consecutive period. The owner or operator shall maintain combustion turbine fuel oil use records on site for a minimum of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL OIL

Upper Permit Limit: 10,928,571 gallons per year

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 74: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 74.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-93-9 SULFURIC ACID

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**Item 74.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to sulfuric acid mist emissions while the combustion turbine fires distillate oil with or without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: SULFURIC ACID

Upper Permit Limit: 0.015 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 75: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 75.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-93-9 SULFURIC ACID

**Item 75.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to sulfuric acid mist emissions while the combustion turbine fires natural gas with or without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: SULFURIC ACID

Upper Permit Limit: 1.1 pounds per hour

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 76: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 76.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 76.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires natural gas with the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.0066 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 77: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 77.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 77.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

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**Monitoring Description:**

This condition applies to PM-10 emissions while the combustion turbine fires natural gas without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 11.7 pounds per hour

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 78: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 78.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 78.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires natural gas without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.0055 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 79: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 79.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 79.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide. This condition applies while the combustion turbine is firing oil at loads at or above 75% but less than 90% load with no duct firing or at any load at or between 75% and 100% when the duct burner is firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 4.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 80: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 80.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 80.2:**

Compliance Demonstration shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires distillate oil without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 98.3 pounds per hour

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 81: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 81.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 81.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires distillate oil with the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 100.3 pounds per hour

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 82: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 82.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 82.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires distillate oil with the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.041 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 83: Compliance Demonstration  
Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 83.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 83.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires distillate oil at or greater than 90% load without the duct burner firing. The data

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.051 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 84: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 84.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 84.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide. This condition applies while the combustion turbine is firing oil at or greater than 90% load with no duct firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.0050 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 85: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 85.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 85.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide. This condition applies while the combustion turbine is firing oil at load at or above 75% but less than 90% load with no duct firing or at any load at or between 75% and 100% when the duct burner is firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 0.010 pounds per million Btus  
Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 86: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 86.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 86.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The duct burner shall only fire natural gas for a maximum

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of 4380 hours during any 12 month consecutive period. The owner or operator shall maintain duct burner hours of operation records on site for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 4380 hours

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 87: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 87.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 87.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide. This condition applies while the combustion turbine is firing natural gas with or without duct firing.

The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.0047 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 88: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 88.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 88.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide. This condition applies while the combustion turbine is firing natural gas with or without duct firing or when the combustion turbine is firing oil at or greater than 90% load with no duct firing. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 2.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: 40 CFR Part 60 Appendix

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 89: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 89.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

**Item 89.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



**Monitoring Description:**

The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitor for ammonia slip. This condition applies to all combustion turbine/duct burner operating scenarios. The data collected shall be maintained on site for a minimum of five years.

Manufacturer Name/Model Number: Ammonia Analyzer

Parameter Monitored: AMMONIA

Upper Permit Limit: 5.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 90: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement: 6 NYCRR Subpart 201-5**

**Item 90.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 90.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions while the combustion turbine fires distillate oil at loads at or above 75% but less than 90% load without the duct burner firing. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.061 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.



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

**Condition 91: Applicable Units, nameplate capacity of 25 MWe or greater  
Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 91.1:**

This Condition applies to Emission Unit: U-00001

**Item 91.2:**

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 92: Permit requirements to be included in new permits or units  
Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 92.1:**

This Condition applies to Emission Unit: U-00001

**Item 92.2:** The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2(b); and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

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

**Condition 93: Compliance Demonstration  
Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 93.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 93.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR



237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

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

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

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

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

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

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

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 94: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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



**Item 94.1:**

This Condition applies to Emission Unit: U-00001

**Item 94.2:**

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

1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.

2) All emissions monitoring information, in accordance with NYCRR 237-8.

3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.

4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

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

**Condition 95: Liability**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 95.1:**

This Condition applies to Emission Unit: U-00001

**Item 95.2:**

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 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 96: Effect on other Authorities**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 96.1:**

This Condition applies to Emission Unit: U-00001

**Item 96.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 97: Authorization and responsibilities of the NOx authorized account representative**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 237-2**

**Item 97.1:**

This Condition applies to Emission Unit: U-00001

**Item 97.2:**

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).

**Condition 98: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 237-4.1**

**Item 98.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 98.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

(1) identification of each NOx budget unit;



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

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

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

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

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

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

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

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



has been resolved and all necessary quarterly report resubmissions have been made;

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

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 99: Submission of NOx allowance transfers**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 237-7.1**

**Item 99.1:**

This Condition applies to Emission Unit: U-00001

**Item 99.2:**

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 100: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 237-8**

**Item 100.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



**Item 100.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 101: Applicability**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 238-1.4**

**Item 101.1:**

This Condition applies to Emission Unit: U-00001

**Item 101.2:**

The administrator has determined this to be an affected SO2 budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO2 budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO2 budget unit.

**Condition 102: Permit Requirements**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 102.1:**



This Condition applies to Emission Unit: U-00001

**Item 102.2:**

The SO<sub>2</sub> authorized account representative of each SO<sub>2</sub> budget unit shall:

(i) submit to the department a complete SO<sub>2</sub> 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 SO<sub>2</sub> budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO<sub>2</sub> budget permit application and issue or deny an SO<sub>2</sub> budget permit.

The owners and operators of each SO<sub>2</sub> budget unit shall have an SO<sub>2</sub> budget permit and operate the unit in compliance with such SO<sub>2</sub> budget permit.

**Condition 103: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 103.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 103.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> 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 SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts



in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> 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 SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> 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 SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall:  
Forfeit the SO<sub>2</sub> 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 104: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 104.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 104.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Unless otherwise provided, the owners and operators of



the SO<sub>2</sub> budget source and each SO<sub>2</sub> 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 SO<sub>2</sub> authorized account representative for the source and each SO<sub>2</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO<sub>2</sub> 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 SO<sub>2</sub> Budget Trading Program;

Copies of all documents used to complete an SO<sub>2</sub> budget permit application and any other submission under the ADR SO<sub>2</sub> Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program;

The SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall submit the reports and compliance certifications required under the ADR SO<sub>2</sub> 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 105: Liability**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 105.1:**

This Condition applies to Emission Unit: U-00001

**Item 105.2:**

No permit revision shall excuse any violation of the requirements of the ADR SO<sub>2</sub> Budget



Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget source (including a provision applicable to the SO2 authorized account representative of an SO2 budget source) shall also apply to the owners and operators of such source and of the SO2 budget units at the source;

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget unit (including a provision applicable to the SO2 authorized account representative of an SO2 budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO2 authorized account representative of one SO2 budget unit shall not be liable for any violation by any other SO2 budget unit of which they are not owners or operators or the SO2 authorized account representative and that is located at a source of which they are not owners or operators or the SO2 authorized account representative.

**Condition 106: Effect on Other Authorities**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

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

**Item 106.1:**

This Condition applies to Emission Unit: U-00001

**Item 106.2:**

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 107: Submissions to the Department**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 238-2.1**

**Item 107.1:**

This Condition applies to Emission Unit: U-00001

**Item 107.2:**

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 108: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 238-4.1**

**Item 108.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 108.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> 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 SO<sub>2</sub> 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 SO<sub>2</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each SO<sub>2</sub> budget unit;
- (2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> 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 SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> 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 SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO<sub>2</sub> 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 SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> 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

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a change mandated the need for monitor  
recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 109: Submission of SO2 allowance transfers**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 238-7.1**

**Item 109.1:**

This Condition applies to Emission Unit: U-00001

**Item 109.2:**

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 110: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 238-8**

**Item 110.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 110.2:**

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

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"designated representative" in 40 CFR part 75 shall be replaced by the terms "SO2 budget unit," and "SO2 authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 111: Compliance Demonstration**  
Effective between the dates of 08/01/2006 and Permit Expiration Date

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 111.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

**Item 111.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The boiler may fire up to 400 hours per year (out of the 4800 hours per year limitation) on distillate oil during any 12 month consecutive period. The auxiliary boiler shall not operate when the combustion turbine operates except during periods of combustion turbine start-up. The owner or operator shall maintain auxiliary boiler hours of operation records on site for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 400 hours

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 112: Compliance Demonstration**  
Effective between the dates of 08/01/2006 and Permit Expiration Date

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 112.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002



**Item 112.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The auxiliary boiler shall fire for a maximum of 4800 hours during any 12 month consecutive period. The auxiliary boiler shall not operate when the combustion turbine operates except during periods of combustion turbine start-up. The owner or operator shall maintain auxiliary boiler hours of operation records on site for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 4800 hours

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 03/02/2007 for the period 08/01/2006 through 01/31/2007

**Condition 113: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 113.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

**Item 113.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The auxiliary boiler shall fire a maximum of 95,714 gallons of distillate oil during any 12 month consecutive period. The owner or operator shall maintain auxiliary boiler fuel oil use records on site for a minimum of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL OIL

Upper Permit Limit: 95,714 gallons per year

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 114: Compliance Demonstration**  
Effective between the dates of 08/01/2006 and Permit Expiration Date

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 114.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

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

**Item 114.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions when the auxiliary boiler is firing natural gas. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.0033 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 115: Compliance Demonstration**  
Effective between the dates of 08/01/2006 and Permit Expiration Date

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 115.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

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

**Item 115.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

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**Monitoring Description:**

This condition applies to PM-10 emissions when the auxiliary boiler is firing distillate oil. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 0.015 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 116: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 116.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 116.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to carbon monoxide emissions when the auxiliary boiler is firing natural gas. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.036 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 117: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 117.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

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

**Item 117.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to carbon monoxide emissions when the auxiliary boiler is firing distillate oil. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.039 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 118: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 118.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003 Emission Point: EP003

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

**Item 118.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions from the fuel gas heater. The data collected shall be maintained on site for a minimum of five years.

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Parameter Monitored: PM-10

Upper Permit Limit: 0.0088 pounds per million Btus

Reference Test Method: Method 201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 119: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 119.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Emission Point: EP003

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

**Item 119.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to carbon monoxide emissions from the fuel gas heater. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.098 pounds per million Btus

Reference Test Method: 40 CFR Part 60

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 120: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 120.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Emission Point: EP004

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Facility DEC ID: 1472204426



**Item 120.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The diesel fire pump shall be restricted to operating four hours per day maximum (not to exceed 375 hours per year). The owner or operator shall maintain diesel fire pump hours of operation records on site for a minimum of five years.

Work Practice Type: HOURS PER DAY OPERATION

Upper Permit Limit: 4 hours

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 121: Compliance Demonstration**

**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 121.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Emission Point: EP004

**Item 121.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The diesel fire pump shall fire a maximum of 6,000 gallons of distillate oil during any 12 month consecutive period. The owner or operator shall maintain diesel fire pump fuel oil use records on site for a minimum of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL OIL

Upper Permit Limit: 6,000 gallons per year

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

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**Condition 122: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 122.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Emission Point: EP004

**Item 122.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The diesel fire pump shall be limited to 375 hours per year of operation on a 12 month rolling basis. The owner or operator shall maintain diesel fire pump hours of operation records on site for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 375 hours

Monitoring Frequency: DAILY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 123: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 123.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Emission Point: EP004

Regulated Contaminant(s):

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

**Item 123.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to PM-10 emissions from the diesel fire pump. The data collected shall be maintained on site for a minimum of five years.

**New York State Department of Environmental Conservation**

Permit ID: 1-4722-04426/00004

Facility DEC ID: 1472204426



Parameter Monitored: PM-10  
Upper Permit Limit: 0.03 pounds per million Btus  
Reference Test Method: Method 201A & 202  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 124: Compliance Demonstration**  
**Effective between the dates of 08/01/2006 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 124.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003                      Emission Point: EP004

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

**Item 124.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to carbon monoxide emissions from the diesel fire pump. The data collected shall be maintained on site for a minimum of five years.

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 0.09 pounds per million Btus  
Reference Test Method: 40 CFR Part 60  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

