PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-4726-00130/00038
Effective Date: 01/28/2011 Expiration Date: 01/27/2016

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 1-4726-00130/00041
Effective Date: 01/28/2011 Expiration Date: 01/27/2016

Permit Issued To:NATIONAL GRID GENERATION LLC
175 E OLD COUNTRY RD
HICKSVILLE, NY 11801

Contact: CATHY WAXMAN
NATIONAL GRID GENERATION LLC
175 E OLD COUNTRY RD
HICKSVILLE, NY 11801-4280
(516) 545-2579

Facility: NORTHPORT POWER STATION
WATERSIDE AVE & EATONS NECK RD
NORTHPORT, NY 11768

Description:
This is a renewal of the Title IV and TV permits, and the Title V has been modified to include conditions developed in response to the USEPA's Clean Air Interstate Rule (CAIR).
This facility consists of four (4) 385 MWe nominal turbine/generator boiler sets operating on natural gas, #1, #2, or #6 fuel oils. In addition, a 15 MWe nominal black start combustion turbine is maintained on site to meet load demand and emergency power requirements. In addition to #1, #2 and #6 fuel oil and natural gas, these boilers burn waste oil generated on site and at other company facilities for energy recovery, and incinerate citrosolv, a boiler cleaning solution, following boiler chemical cleaning. There are five (5) main tanks used for storing #6 fuel oil, ranging from 13,524,000 to 27,035,000 gallons. In addition, there are numerous smaller tanks used for storing distillate, lubrication and/or dielectric oils.

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
Permit modifications, suspensions or revocations by the Department
Facility Level
Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS

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

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

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

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

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

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

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

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

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

Item 4.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

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

Item 5.1:
Applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 1 Headquarters
Division of Environmental Permits
Stony Brook University
50 Circle Road
Stony Brook, NY 11790-3409
(631) 444-0365

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:NATIONAL GRID GENERATION LLC
175 E OLD COUNTRY RD
HICKSVILLE, NY 11801

Facility: NORTHPORT POWER STATION
WATERSIDE AVE & EATONS NECK RD
NORTHPORT, NY 11768

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

Permit Effective Date: 01/28/2011 Permit Expiration Date: 01/27/2016

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

1 6 NYCRR 200.6: Acceptable Ambient Air Quality
2 6 NYCRR 201-6.5 (a) (7): Fees
3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
6 6 NYCRR 201-6.5 (e): Compliance Certification
7 6 NYCRR 202-2.1: Compliance Certification
8 6 NYCRR 202-2.5: Recordkeeping requirements
9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
10 6 NYCRR 215.2: Open Fires - Prohibitions
11 6 NYCRR 200.7: Maintenance of Equipment
12 6 NYCRR 201-1.7: Recycling and Salvage
13 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
14 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
15 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
16 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
17 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
18 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
19 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
20 6 NYCRR 202-1.1: Required Emissions Tests
21 6 NYCRR 211.3: Visible Emissions Limited
22 40 CFR Part 68: Accidental release provisions.
23 40CFR 82, Subpart F: Recycling and Emissions Reduction
24 6 NYCRR Subpart 201-6: Emission Unit Definition
25 6 NYCRR 202-2.1 (a): Compliance Certification
26 6 NYCRR 225-1.2 (a) (1): Compliance Certification
27 6 NYCRR 225-1.2 (a) (2): Compliance Certification
28 6 NYCRR 225-1.2 (a) (2): Compliance Certification
29 6 NYCRR 225-1.2 (a) (2): Compliance Certification
30 6 NYCRR 225-2.3: Compliance Certification
31 6 NYCRR 227-1.3 (a): Compliance Certification
32 6 NYCRR Subpart 227-2: Compliance Certification
33 6 NYCRR 227.2 (b) (1): Compliance Certification
34 6 NYCRR 243-1.6 (a): Permit Requirements
35 6 NYCRR 243-1.6 (b): Monitoring requirements
36 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
37 6 NYCRR 243-1.6 (d): Excess emission requirements
38 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
39 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
40 6 NYCRR 243-2.4: Certificate of representation
41 6 NYCRR 243-8.1: General requirements

42 6 NYCRR 243-8.1: Prohibitions
43 6 NYCRR 243-8.5 (d): Quarterly reports
44 6 NYCRR 243-8.5 (e): Compliance certification
45 6 NYCRR Subpart 244-1: CAIR General and Permit Requirments
46 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
47 6 NYCRR Subpart 244-2: Designated CAIR Representative
48 6 NYCRR Subpart 244-8: Compliance Certification
49 6 NYCRR Subpart 244-8: Compliance Certification
50 6 NYCRR Subpart 245-1: CAIR General and Permit Requirments
51 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
52 6 NYCRR Subpart 245-2: Designated CAIR Representative
53 6 NYCRR Subpart 245-8: Compliance Certification
54 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

Emission Unit Level

55 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
56 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=U-00004,EP=00004

57 40CFR 60.42(a)(2), NSPS Subpart D: Compliance Certification
58 40CFR 60.42(a)(2), NSPS Subpart D: Compliance Certification

EU=U-00004,EP=00004,Proc=P19

59 6 NYCRR 225-1.2 (a) (2): Compliance Certification

EU=U-00004,EP=00004,Proc=P20

60 6 NYCRR 225-1.2 (a) (2): Compliance Certification
61 40CFR 60.43(a)(1), NSPS Subpart D: Compliance Certification
62 40CFR 60.44(a)(2), NSPS Subpart D: Compliance Certification

EU=U-00004,EP=00004,Proc=P21

63 6 NYCRR 225-1.2 (a) (2): Compliance Certification
64 40CFR 60.43(a)(1), NSPS Subpart D: Compliance Certification
65 40CFR 60.44(a)(1), NSPS Subpart D: Compliance Certification

EU=U-00004,EP=00004,Proc=P22

66 40CFR 60.44(a)(1), NSPS Subpart D: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

67 ECL 19-0301: Contaminant List
68 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
69 6 NYCRR 211.2: Air pollution prohibited
70 6 NYCRR 237-1.4 (a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
71 6 NYCRR 237-1.6 (a): Permit Requirements
72 6 NYCRR 237-1.6 (c): Compliance Demonstration
73 6 NYCRR 237-1.6 (e): Recordkeeping and Reporting Requirements
74 6 NYCRR 237-1.6 (f): Liability- facility and units with common stacks
75 6 NYCRR 237-1.6 (g): Effect on other Authorities

76 6 NYCRR Subpart 237-2: Authorization and responsibilities of the NOx authorized account representative
77 6 NYCRR 237-4.1: Compliance Demonstration
78 6 NYCRR 237-7.1: Submission of NOx allowance transfers
79 6 NYCRR Subpart 237-8: Compliance Demonstration
80 6 NYCRR 238-1.4: Applicability
81 6 NYCRR 238-1.6 (a): Permit Requirments
82 6 NYCRR 238-1.6 (c): Compliance Demonstration
83 6 NYCRR 238-1.6 (e): Compliance Demonstration
84 6 NYCRR 238-1.6 (f): Liability
85 6 NYCRR 238-1.6 (g): Effect on Other Authorities
86 6 NYCRR 238-2.1: Submissions to the Department
87 6 NYCRR 238-4.1: Compliance Demonstration
88 6 NYCRR 238-7.1: Submission of SO2 allowance transfers
89 6 NYCRR Subpart 238-8: Compliance Demonstration
90 6 NYCRR 242-1.4 (b): Compliance Demonstration
91 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
92 6 NYCRR 242-1.5: Compliance Demonstration
93 6 NYCRR 242-1.5: Compliance Demonstration
94 6 NYCRR Subpart 242-4: Compliance Demonstration
95 6 NYCRR Subpart 242-8: Compliance Demonstration
96 6 NYCRR 242-8.5: Compliance Demonstration

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

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Condition 1: **Acceptable Ambient Air Quality**
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: **Fees**
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 2.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

Condition 3: **Recordkeeping and reporting of compliance monitoring**
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 3.1:

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

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

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

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

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

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

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

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

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 4.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

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

Item 5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum

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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A

written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 6: **Compliance Certification**
Effective between the dates of 01/28/2011 and 01/27/2016

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

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

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due on the same day each year

Condition 7: **Compliance Certification**
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 202-2.1

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

Item 7.2:
Compliance Certification shall include the following monitoring:

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

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

Condition 8: **Recordkeeping requirements**
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:
(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission

statement was determined, including any calculations, data, measurements, and estimates used.

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Part 215

Item 9.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Condition 10: Open Fires - Prohibitions
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 215.2

Item 10.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 10.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's

Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

Condition 11: Maintenance of Equipment
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 200.7

Item 11.1:
Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 12: Recycling and Salvage
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 12.1:
Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

Condition 13: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 13.1:
No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Condition 14: Exempt Sources - Proof of Eligibility
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 14.1:
The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 15: Trivial Sources - Proof of Eligibility
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 15.1:
The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 16: Standard Requirement - Provide Information
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 16.1:
The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 17: General Condition - Right to Inspect
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 17.1:
The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

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

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

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

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

Condition 18: Standard Requirements - Progress Reports
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 18.1:
Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

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

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

Condition 19: Off Permit Changes
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 19.1:
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

Condition 20: Required Emissions Tests
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 20.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 21: Visible Emissions Limited
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 211.3

Item 21.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 22: Accidental release provisions.
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40 CFR Part 68

Item 22.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

Condition 23: Recycling and Emissions Reduction
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 82, Subpart F

Item 23.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 24: Emission Unit Definition
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 24.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00001
Emission Unit Description:
This unit is a 385 MWe nominal turbine/generator boiler set firing #1, #2, or #6 fuel oils and natural gas. In addition, this boiler may co-fire waste fuel oil for energy recovery and citrosolv for incineration. Exhaust is through emission point 00001. This emission unit is also called unit 1 under the Title IV Acid Rain Program.

Building(s): BOILERBLD1

Item 24.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00002
Emission Unit Description:
This unit is a 385 MWe nominal turbine/generator boiler set firing #1, #2, or #6 fuel oils and natural gas. In addition, this boiler may co-fire waste fuel for energy recovery and citrosolv for incineration. Exhaust is through emission point 00002. This emission unit is also called unit 2 under the Title IV Acid Rain Program.

Building(s): BOILERBLD2

Item 24.3:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00003
Emission Unit Description:
This unit is a 385 MWe nominal turbine/generator boiler set firing #1, #2, or #6 fuel oils and natural gas. In addition, this boiler may co-fire waste fuel for energy recovery and citrosolv for incineration. Exhaust is through emission point 00003. This emission unit is also called unit 3 under the Title IV Acid Rain Program.

Building(s): BOILERBLD3

Item 24.4:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00004
Emission Unit Description:
This unit is a 385 MWe nominal turbine/generator boiler set firing #1, #2, or #6 fuel oils and natural gas. In addition, this boiler may co-fire waste fuel for energy recovery and citrosolv for incineration. Exhaust is through emission point 00004. This emission unit is also called unit 4 under the Title IV Acid Rain Program.

Building(s): BOILERBLD4

Item 24.5:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-GT001
Emission Unit Description:
This unit is a "black start" combustion turbine designed to provide sufficient power to bring the entire power station back on line following a catastrophic system collapse. In addition the unit is used to supply peak generation capacity, as required to support the Long Island electric distribution system. #1 and/or #2 distillate oil is utilized as fuel for this emission unit.

Building(s): CT1

Item 24.6:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-GT0S1
Emission Unit Description:
This unit is a 430 hp diesel engine used to start the "black start" combustion turbine, designated emission unit UGT001. This unit only operates during startup of the combustion turbine, generally less than 15 minutes per event. #1 and/or #2 distillate oil is utilized as fuel for this emission unit.

Building(s): CT1

Condition 25: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 202-2.1 (a)

Item 25.1:
The Compliance Certification activity will be performed for the Facility.

Item 25.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Condition 26: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 26.1:
The Compliance Certification activity will be performed for the Facility.

Item 26.2:
Compliance Certification shall include the following monitoring:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.0 percent by weight
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 27.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 27.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur fuel in order to limit SO2 emissions. All fuel oil is purchased on specification. Source tank to be verified in compliance with limit. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.0 percent by weight
Reference Test Method: ASTM D4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 28: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 28.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 28.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC

OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur fuel in order to limit SO2 emissions. All fuel oil is purchased on specification. Source tank to be verified in compliance with limit. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 1 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.0 percent by weight
Reference Test Method: ASTM 4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: GEOMETRIC MEAN
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 29: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 29.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur fuel in order to limit SO2 emissions. All fuel oil is purchased on specification. Source tank to be verified in compliance with limit. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 6 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.0 percent by weight
Reference Test Method: ASTM D4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 30: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 225-2.3

Item 30.1:
The Compliance Certification activity will be performed for the Facility.

Item 30.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Combustion of waste fuel is in accordance with procedures and practices previously established with the NYSDEC. Waste fuel is tested for compliance with 6NYCRR Part 225-2.3 and co-fired with primary boiler fuel at a maximum rate equivalent to 5% of the total heat input into the boiler. Lead, PCB's and total halogens are tested on every delivery from off site (only Nationalgrid and LIPA waste oil is accepted). Monthly samples are collected and analyzed from each waste fuel tank on site. Analysis for sulfur and heat content have been waived by the NYSDEC since the co firing rate restriction insures that the "as burned" waste fuel oil in the boiler is always within limitations of 225-2.3. Lead, PCB's and halogen limitations are complied with on an 'as delivered" and/or "as generated" basis.

Reference Test Method: ASTM
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 31: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 31.1:
The Compliance Certification activity will be performed for the Facility.

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Opacity is measured on a continuous emission monitor as a compliance indicator. (Operation of the monitor, and reporting of results, is only required when burning fuel oil). According to Consent Order No. D1-9000-97-08 Appendix A 8- quarterly reports: quarterly opacity incident reports will be submitted to the NYSDEC 60 days following the end of a calendar quarter.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR PART60 APP. B
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 5/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 227-2

Item 32.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
NOx RACT compliance is on a system wide basis for all National Grid affected facilities

Reference Test Method: 40CFR60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: 24-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 33: Compliance Certification

Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 33.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00001

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-GT001

Emission Unit: U-GT0S1

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

Item 33.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the folowing upon request from the Department:

1) Submit to the Department an acceptable protocol for the testing of particulate emission. Two copies of the protocol are required.

2) Perform a stack test based on the approved protocol to determine compliance with the emission limit cited on this condition.

3) Submit to the Department a stack test report. Two copies of the report are required.

4) All records associated with this condition shall be kept on site for at least five years.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.1 pounds per million Btus
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 34: Permit Requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 34.1:
The CAIR designated representative of each CAIR NOx Ozone Season source shall:
(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

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

Condition 35: Monitoring requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 35.1:
The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

Condition 36: NOx Ozone Season Emission Requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 36.1:
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 37: Excess emission requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 37.1:
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 38: Recordkeeping and reporting requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 38.1:
Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated

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

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

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

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

Condition 39: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 243-2.1

Item 39.1:
Except as provided under section 243-2.2, each CAIR NOx Ozone Season source, including all CAIR NOx Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NOx Ozone Season Trading Program concerning the source or any CAIR NOx Ozone Season unit at the source.

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

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

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

Each submission under the CAIR NOx Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx Ozone Season

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

Condition 40: Certificate of representation
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 243-2.4

Item 40.1:
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 41: General requirements
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 41.1:
The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NOx Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

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

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

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

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

Condition 42: Prohibitions
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 42.1:
No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

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

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

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:
(i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
(ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
(iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

Condition 43: Quarterly reports
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 43.1:
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 44: Compliance certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 44.1:
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 45: CAIR General and Permit Requirments
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 45.1:

(1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, CAIR NOx allowances available for compliance deductions for the previuos control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. (244-1.6(c)(1) , 244-1.2(b)(5), 244-1.2(b)(36))

(2) A CAIR NOx allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. (244-1.6(c)(3))

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

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

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

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

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

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

Condition 46: CAIR NOx Annual Trading Program General Conditions
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 46.1:
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 47: Designated CAIR Representative
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 47.1:
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 48: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 244-8

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

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

Item 48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring and Reporting NOX emissions

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

(2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the

Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

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

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

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

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

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

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures

in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

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

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 49.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Monitoring and Reporting NOx emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR NOx unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 244-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or CEMS) in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NOx unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 244-1.2. [244-8.1]

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

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

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

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

6) The CAIR designated representative shall submit a certification application to the department within 45 days after completing all initial certification or recertification tests required under section 244-8.2, including the information required under 40 CFR 75.63. [244-8.5(c)]

7) The CAIR designated representative shall submit quarterly reports of the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter covering January 1, 2008 through March 31, 2008; unless the unit commences commercial operation on or after July 1, 2007, then quarterly reporting commences with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 244-8.1(b). [244-8.5(d)(1)]

8) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f). [244-8.5(d)(2)]

9) For CAIR NOx units that are also subject to an Acid Rain emissions limitation or the CAIR NOx Ozone Season Trading Program, CAIR SO2 Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NOx mass emission data, heat input data, and other information required by Subpart 244-8. [244-8.5(d)(3)]

10) Compliance certification - The CAIR designated

representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [244-8.5(e)]

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

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

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 50: CAIR General and Permit Requirments
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 50.1:
(1) Each CAIR SO2 source must have a permit issued by the department pursuant to 6NYCRR Parts 201 and 621 of this title; and shall have a CAIR permit issued pursuant to 6NYCRR Part 245-3 by the Department and operate the source in compliance with such CAIR permit. Each CAIR permit must contain all applicable requirements for the CAIR SO2 Trading Program and shall be a complete and separable portion of the permit. (245-1 and 245-3)

(2) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each CAIR SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) as determined in accordance with 6NYCRR Part 245-6.5(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source, as determined in accordance with 6NYCRR Part 245-8. (245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36))

(3) A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO2 allowance was allocated. (245-1.6(c)(3))

(4)'Excess emissions requirements.' If a CAIR SO2 source emits sulfur dioxide during any

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

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

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

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

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

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO2 Trading Program or to demonstrate compliance with the requirements of the CAIR SO2 Trading Program. (245-1.6(e))

Condition 51: CAIR SO2 Trading Program General Provisions
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 51.1:
1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source. A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO2 allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO2 allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO2 unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

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

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

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

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

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

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

Condition 52: Designated CAIR Representative
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 245-2

Item 52.1:
1) Each CAIR SO2 source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO2 Trading Program. The CAIR designated representative of the CAIR SO2 source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO2 units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO2 source represented and each CAIR SO2 unit at the source in all matters pertaining to the CAIR SO2 Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO2 Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO2 source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of

the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [245-2.1(e)]

Condition 53: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 245-8

Item 53.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 53.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring and Reporting SO2 emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO2 unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO2 unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO2 unit. [245-8.1]

2)The owner or operator of each CAIR SO2 unit shall: [245-8.1(a)]
(i) install all monitoring systems required under this Subpart for monitoring SO2 mass emissions and individual unit heat input (including all systems required to monitor SO2 concentration, stack gas moisture content, stack gas

flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

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

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

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

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

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

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO2 mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

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

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

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

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

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

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

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

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

11) For CAIR SO2 units that are also subject to an Acid Rain emissions limitation or the CAIR NOX Annual Trading Program, CAIR NOX Ozone Season Trading Program, or the

Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO2 mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [245-8.5(e)]
i) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications; and
ii) for a unit with add-on SO2 emission controls and for all hours where SO2 data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO2 emissions.

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 54: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40 CFR Part 72

Item 54.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 55: Emission Point Definition By Emission Unit
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 55.1:

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

Emission Unit: U-00001

Emission Point: 00001
Height (ft.): 600 Diameter (in.): 201
NYTMN (km.): 4531.123 NYTME (km.): 640.333 Building: BOILERBLD1

Item 55.2:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00002

Emission Point: 00002
Height (ft.): 600 Diameter (in.): 201
NYTMN (km.): 4531.123 NYTME (km.): 640.333 Building: BOILERBLD2

Item 55.3:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00003

Emission Point: 00003
Height (ft.): 600 Diameter (in.): 201
NYTMN (km.): 4531.123 NYTME (km.): 640.333 Building: BOILERBLD3

Item 55.4:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00004

Emission Point: 00004
Height (ft.): 600 Diameter (in.): 201
NYTMN (km.): 4531.123 NYTME (km.): 640.333 Building: BOILERBLD4

Item 55.5:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-GT001

Emission Point: GT001
Height (ft.): 31 Length (in.): 124 Width (in.): 133
NYTMN (km.): 4531.123 NYTME (km.): 640.333 Building: CT1

Item 55.6:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-GT0S1

Emission Point: GT0S1
Height (ft.): 20 Diameter (in.): 5
NYTMN (km.): 4531.123 NYTME (km.): 640.333 Building: CT1

Condition 56: Process Definition By Emission Unit
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 56.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P01 Source Classification Code: 1-01-004-04
Process Description:
This process is the combustion of #6 residual oil in a tangentially fired steam electric boiler. In order to improve boiler operation, a fuel additive is mixed into the residual oil prior to combustion.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P02 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #1 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.3:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P03 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #2 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.4:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P04 Source Classification Code: 1-01-006-04
Process Description:
This process is the combustion of pipeline natural gas in a tangentially fired steam electric boiler. Electrostatic precipitator will not operate when firing natural gas.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.5:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P05 Source Classification Code: 1-01-013-02
Process Description:
This process is the co-firing of non-hazardous waste oil in a tangentially fired steam electric boiler. This fuel is only used in combination with pipeline natural gas or #6 residual oil.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.6:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P06 Source Classification Code: 1-01-013-02
Process Description:
This process is the incineration, by co-firing with a primary fuel, of boiler chemical cleaning solutions. Following a chemical cleaning of the water-side of the boilers tubes with an acidic solution, the spent material is evaporated in an adjacent boiler operating at nominal full load.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.7:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: PS1 Source Classification Code: 1-01-004-04
Process Description:
THIS PROCESS INVOLVES THE CO-FIRING OF NATURAL GAS AND HI-SULFUR #6 FUEL OIL IN A RATIO NOT TO EXCEED THE HEAT-INPUT EQUIVALENT PERMISSIBLE SO2 EMISSION RATE.

Emission Source/Control: ES001 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES002 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.8:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: P07 Source Classification Code: 1-01-004-04
Process Description:
This process is the combustion of #6 residual oil in a tangentially fired steam electric boiler. In order to improve boiler operation, a fuel additive is mixed into the residual oil prior to combustion.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.9:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: P08 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #1 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.10:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: P09 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #2 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.11:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: P10 Source Classification Code: 1-01-006-04
Process Description:
This process is the combustion of pipeline natural gas in a tangentially fired steam electric boiler. Electrostatic precipitator will not operate when firing natural gas.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.12:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: P11 Source Classification Code: 1-01-013-02
Process Description:
This process is the co-firing of non-hazardous waste oil in a tangentially fired steam electric boiler. This fuel is only used in combination with pipeline natural gas or #6 residual oil.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.13:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: P12 Source Classification Code: 1-01-013-02
Process Description:

This process is the incineration, by co-firing with a primary fuel, of boiler chemical cleaning solutions. Following a chemical cleaning of the water-side of the boilers tubes with an acidic solution, the spent material is evaporated in an adjacent boiler operating at nominal full load.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.14:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: PS2 Source Classification Code: 1-01-004-04
Process Description:
THIS PROCESS INVOLVES THE CO-FIRING OF NATURAL GAS AND HI-SULFUR #6 FUEL OIL IN A RATIO NOT TO EXCEED THE HEAT-INPUT EQUIVALENT PERMISSIBLE SO2 EMISSION RATE.

Emission Source/Control: ES003 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES004 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.15:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: P13 Source Classification Code: 1-01-004-04
Process Description:
This process is the combustion of #6 residual oil in a tangentially fired steam electric boiler. In order to improve boiler operation, a fuel additive is mixed into the residual oil prior to combustion.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.16:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: P14 Source Classification Code: 1-01-005-01

Process Description:
This process is the combustion of #1 distillate oil in a tangentially fired steam electric bolier.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.17:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: P15 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #2 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.18:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: P16 Source Classification Code: 1-01-006-04
Process Description:
This process is the combustion of pipeline natural gas in a tangentially fired steam electric boiler. Electrostatic precipitator willnot operate when firing natural gas.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.19:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: P17 Source Classification Code: 1-01-013-02
Process Description:
This process is the co-firing of non-hazardous waste oil in a tangentially fired steam electric boiler. This fuel is only used in combination with pipeline natural gas or #6 residual oil.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.20:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: P18 Source Classification Code: 1-01-013-02
Process Description:
This process is the incineration, by co-firing with a primary fuel, of boiler chemical cleaning solutions. Following a chemical cleaning of the water-side of the boilers tubes with an acidic solution, the spent material is evaporated in an adjacent boiler operating at nominal full load.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.21:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: PS3 Source Classification Code: 1-01-004-04
Process Description:
THIS PROCESS INVOLVES THE CO-FIRING OF NATURAL GAS AND HI-SULFUR #6 FUEL OIL IN A RATIO NOT TO EXCEED THE HEAT-INPUT EQUIVALENT PERMISSIBLE SO2 EMISSION RATE.

Emission Source/Control: ES005 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES006 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.22:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: P19 Source Classification Code: 1-01-004-04
Process Description:
This process is the combustion of #6 residual oil in a tangentially fired steam electric boiler. In order to improve boiler operation, a fuel additive is mixed into the residual oil prior to combustion.

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.23:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: P20 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #1 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.24:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: P21 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #2 distillate oil in a tangentially fired steam electric boiler.

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.25:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: P22 Source Classification Code: 1-01-006-04
Process Description:
This process is the combustion of pipeline natural gas in a tangentially fired steam electric boiler. Electrostatic precipitator will not operate when firing natural gas

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.26:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: P23 Source Classification Code: 1-01-013-02
Process Description:
This process is the co-firing of non-hazardous waste in a tangentially fired steam electric boiler. This fuel is only used in combination with pipeline natural gas or #6 residual oil..

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.27:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: P24 Source Classification Code: 1-01-013-02
Process Description:
This process is the incineration, by co-firing with a primary fuel, of boiler chemical cleaning solutions. Following a chemical cleaning of the water-side of the boilers tubes with an acidic solution, the spent material is evaporated into an adjacent boiler operating at nominal full load.

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control
Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.28:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: PS4 Source Classification Code: 1-01-004-04
Process Description:
THIS PROCESS INVOLVES THE CO-FIRING OF NATURAL GAS AND HI-SULFUR #6 FUEL OIL IN A RATIO NOT TO EXCEED THE HEAT INPUT EQUIVALENT PERMISSIBLE SO2 EMISSION RATE.

Emission Source/Control: ES007 - Combustion
Design Capacity: 3,695 million Btu per hour

Emission Source/Control: ES008 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Item 56.29:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-GT001
Process: P28 Source Classification Code: 2-01-009-01
Process Description:
This process is the combustion of #1 distillate oil in a combustion turbine. In order to improve combustion a fuel additive may be mixed with the distillate oil prior to combustion. In addition, when fuel oil is stored for extended periods, a biocide may added to prevent fouling.

Emission Source/Control: ES009 - Combustion
Design Capacity: 266 million Btu per hour

Item 56.30:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-GT001
Process: P29 Source Classification Code: 2-01-001-01
Process Description:
This process is the combustion of #2 distillate oil in a combustion turbine. In order to improve combustion a fuel additive may be mixed with the distillate oil prior to combustion. In addition, when fuel oil is stored for extended periods, a biocide may added to prevent fouling.

Emission Source/Control: ES009 - Combustion
Design Capacity: 266 million Btu per hour

Item 56.31:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-GT0S1
Process: P91 Source Classification Code: 2-02-009-02
Process Description:
This process is the combustion of #1 distillate oil in a diesel engine. This engine is used to start the associated combustion turbine. During each startup the engine operates for less than 15 minutes. In addition, when fuel oil is stored for extended periods, a biocide may be added to prevent fouling.

Emission Source/Control: ES010 - Combustion
Design Capacity: 430 horsepower (mechanical)

Item 56.32:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-GT0S1

Process: P92 Source Classification Code: 2-01-001-02
Process Description:
This process is the combustion of #2 distillate oil in a diesel engine. This engine is used to start the associated combustion turbine. During each startup the engine operates for less than 15 minutes. In addition, when fuel oil is stored for extended periods, a biocide may be added to prevent fouling.

Emission Source/Control: ES010 - Combustion
Design Capacity: 430 horsepower (mechanical)

Condition 57: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.42(a)(2), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004

Item 57.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Opacity is measured on a continuous emission monitor as a compliance indicator. (Operation of the monitor, and reporting of results, is only required when burning fuel oil). According to Consent Order No. D1-9000-97-08 Appendix A 8- quarterly reports: quarterly opacity incident reports will be submitted to the NYSDEC 60 days following the end of a calendar quarter.

Manufacturer Name/Model Number: SICK OMD41
Parameter Monitored: OPACITY
Upper Permit Limit: 20.0 percent
Reference Test Method: 40 CFR PART 60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 5/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 58: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.42(a)(2), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004

Item 58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Opacity is measured on a continuous emission monitor as a compliance indicator. (Operation of the monitor, and reporting of results, is only required when burning fuel oil). According to Consent Order No. D1-9000-97-08 Appendix A 8- quarterly reports: quarterly opacity incident reports will be submitted to the NYSDEC 60 days following the end of a calendar quarter.

Manufacturer Name/Model Number: SICK OMD41
Parameter Monitored: OPACITY
Upper Permit Limit: 20.0 percent
Reference Test Method: 40 CFR PART 60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 5/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 59: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

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

Emission Unit: U-00004 Emission Point: 00004
Process: P19

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

Item 59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

This unit is restricted to burning low sulfur fuel in order to limit SO2 emissions. All fuel oil is purchased on specification. Source tank to be verified in compliance with limit. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 6 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.75 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

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

Emission Unit: U-00004 Emission Point: 00004
Process: P20

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

Item 60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur fuel in order to limit SO2 emissions. All fuel oil is purchased on specification. Source tank to be verified in compliance with limit. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 1 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.75 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 61: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.43(a)(1), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004
Process: P20

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

Item 61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur oil in order to limit SO2 emissions. All fuel is purchased on specification. Source tank to be verified in compliance. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 1 OIL
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.8 pounds per million Btus
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 62: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.44(a)(2), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004
Process: P20

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

Item 62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
DILUTION PROBE IN STACK MONITORING. NOX LIMIT IS PRORATED WHEN CO FIRING GAS.

Manufacturer Name/Model Number: KVB ANALECT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.3 pounds per million Btus
Reference Test Method: 40CFR60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR MAXIMUM - NOT TO BE EXCEEDED MORE THAN ONCE PER CALENDAR YEAR
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 63: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

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

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

Emission Unit: U-00004 Emission Point: 00004
Process: P21

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

Item 63.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur fuel in order to limit SO2 emissions. All fuel oil is purchased on specification. Source tank to be verified in compliance

with limit. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.75 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 64: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.43(a)(1), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004
Process: P21

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

Item 64.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
This unit is restricted to burning low sulfur oil in order to limit SO2 emissions. All fuel is purchased on specification. Source tank to be verified in compliance. Deliveries may continue until fuel added to source tank.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.8 pounds per million Btus
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.44(a)(1), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004
Process: P21

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

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Dilution probe in stack monitoring. NOx limit is prorated when co firing gas.

Manufacturer Name/Model Number: KVB ANALECT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.3 pounds per million Btus
Reference Test Method: 40CFR60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR MAXIMUM - NOT TO BE EXCEEDED MORE THAN ONCE PER CALENDAR YEAR
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable Federal Requirement:40CFR 60.44(a)(1), NSPS Subpart D

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

Emission Unit: U-00004 Emission Point: 00004
Process: P22

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

Item 66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Dilution probe in stack monitoring. NOx limit is prorated when co firing gas.

Manufacturer Name/Model Number: KVB ANALECT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.2 pounds per million Btus
Reference Test Method: 40CFR60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR MAXIMUM - NOT TO BE EXCEEDED MORE THAN ONCE PER CALENDAR YEAR
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

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

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

Item A: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

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

Condition 67: Contaminant List
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:ECL 19-0301

Item 67.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

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

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

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

Condition 68: Unavoidable noncompliance and violations
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 201-1.4

Item 68.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

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

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which

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

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

Condition 69: Air pollution prohibited
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 211.2

Item 69.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 70: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 70.1:
Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NOx budget unit, and any source that includes one or more such units shall be a NOx budget source, subject to the requirements of NYCRR 237

Condition 71: Permit Requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 71.1:
The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2, which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

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

Condition 72: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 72.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 72.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 73: Recordkeeping and Reporting Requirements
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 73.1:
Unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department:

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

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

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

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

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

Condition 74: Liability- facility and units with common stacks
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 74.1:
No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

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

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 75: Effect on other Authorities
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 75.1:
No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 76: Authorization and responsibilities of the NOx authorized account representative
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR Subpart 237-2

Item 76.1:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, not withstanding any

agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 77: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 237-4.1

Item 77.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 77.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 78: Submission of NOx allowance transfers
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 237-7.1

Item 78.1:
The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the

department or its agent:

(a) the numbers identifying both the transferor and transferee accounts;

(b) a specification by serial number of each NOx allowance to be transferred; and

(c) the printed name and signature of the NOx authorized account representative of the transferor account and the date signed.

Condition 79: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR Subpart 237-8

Item 79.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 79.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Condition 80: Applicability
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 238-1.4

Item 80.1:
This facility has one or more affected SO2 budget units as defined at 42 U.S.C. section 7651aC(2) and is subject to the requirments of NYCRR 238.
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Condition 81: Permit Requirments
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 81.1:
The SO2 authorized account representative of each SO2 budget unit shall:
(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2, which states the later of January 1, 2004 or 12 months before the date on which the SO2 budget unit commences operation;

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

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

Condition 82: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 82.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 82.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 83: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 83.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 83.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 84: Liability
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 84.1:
No permit revision shall excuse any violation of the requirements of the ADR SO2 Budget

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

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

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

Condition 85: Effect on Other Authorities
Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 85.1:
No provision of the ADR SO2 Budget Trading Program, an SO2 budget permit application, or an SO2 budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO2 authorized account representative of an SO2 budget source or SO2 budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 86: Submissions to the Department
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 238-2.1

Item 86.1:
Each submission under the Acid Depositiion Reduction (ADR) SO2 Budget Trading Program shall be submitted, signed, and certified by the SO2 authorized account representative for each SO2 budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO2 authorized account representative:

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

Condition 87: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 238-4.1

Item 87.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 87.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Condition 88: Submission of SO2 allowance transfers
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 238-7.1

Item 88.1:
The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

(a) the numbers identifying both the transferor and transferee accounts;

(b) a specification by serial number of each SO2 allowance to be transferred; and

(c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 89: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR Subpart 238-8

Item 89.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 89.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Condition 90: Compliance Demonstration

Effective between the dates of 01/28/2011 and 01/27/2016

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

Item 90.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 90.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

(3) Compliance.

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

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

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

owners and operators bear the burden of proof that the unit met the restriction on the percentage of annual gross generation that may be supplied to the electric grid.

(iv) The owners and operators and, to the extent applicable, the CO2 authorized account representative of a unit exempt under Paragraph (b)(1) of this Section shall comply with all the requirements of this Part concerning all time periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.

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

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

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

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

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

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.

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

Condition 91: CO2 Budget Trading Program - Excess emission requirements
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 242-1.5

Item 91.1:
The owners and operators of a CO2 budget source that has excess emissions in any control period shall:
(1) forfeit the CO2 allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO2 offset allowances may not be used to cover any part of such excess emissions; and
(2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).

Condition 92: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 242-1.5

Item 92.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 92.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

(3) A CO2 budget unit shall be subject to the requirements

specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 93: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 242-1.5

Item 93.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 93.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owners and operators of the CO2 budget source and

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

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

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

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

(iv) Copies of all documents used to complete a CO2 budget permit application and any other submission under the CO2 Budget Trading Program or to demonstrate compliance with the requirements of the CO2 Budget Trading Program.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 94: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR Subpart 242-4

Item 94.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000124-38-9 CARBON DIOXIDE

Item 94.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Annual Compliance Certification Report:

(a) For each control period in which a CO2 budget source is subject to the CO2 requirements of subdivision 242-1.5(c) of this Part, CO2 authorized account representative of the source shall submit to the department by March 1st following the relevant control period, a compliance certification report.

(b) The compliance certification report shall include the following elements:
(1) identification of the source and each CO2 budget unit at the source;
(2) as an option, the serial numbers of the CO2 allowances that are to be deducted from the source's compliance account under section 242-6.5 of this Part for the control period, including the serial numbers of any CO2 offset allowances that are to be deducted subject to the limitations of section 242-6.5(a)(3) of this Part; and
(3) the compliance certification under subdivision (c) of this section (below).

(c) In the compliance certification report the CO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the CO2 budget units at the source in compliance with the CO2 Budget Trading Program, whether the source and each CO2 budget unit at the source for which the compliance certification is submitted was operated during the calendar years covered by the report in compliance with the requirements of the CO2 Budget Trading Program, including:
(1) whether the source was operated in compliance with the CO2 requirements of section 242-1.5(c) of this Part;
(2) whether the monitoring plan applicable to each unit at the source has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute CO2 emissions to the unit, in accordance with Subpart 242-8 of this Part;
(3) whether all the CO2 emissions from the units at the source 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 242-8 of this Part. 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;

(4) whether the facts that form the basis for certification under Subpart 242-8 of each monitor at each unit at the source, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 242-8 of this Part, if any, have changed; and

(5) if a change is required to be reported under paragraph (c)(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: MARCH 1

Condition 95: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR Subpart 242-8

Item 95.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000124-38-9 CARBON DIOXIDE

Item 95.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Recordkeeping and Reporting (6NYCRR Part 242-8.5)

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

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

(c) Certification applications. The CO2 authorized account representative shall submit an application to the department within 45 days after completing all CO2

monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).

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

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

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

(3) The CO2 authorized account representative shall submit to the department or its agent a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 96: Compliance Demonstration
Effective between the dates of 01/28/2011 and 01/27/2016

Applicable State Requirement:6 NYCRR 242-8.5

Item 96.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000124-38-9 CARBON DIOXIDE

Item 96.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Recordkeeping and Reporting (6NYCRR Part 242-8.5)

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

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

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

(d) Quarterly reports. The CO2 authorized account representative shall submit quarterly reports, as follows:
(1) The CO2 authorized account representative shall report the CO2 mass emissions data and heat input data for the CO2 budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.
(2) The CO2 authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO2 budget unit (or group of units

using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NOx, and SO2 provisions.

(3) The CO2 authorized account representative shall submit to the department or its agent a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2011.
Subsequent reports are due every 3 calendar month(s).