



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 1-4726-01500/00001  
Effective Date:

Expiration Date:

Permit Type: Title IV (Phase II Acid Rain)  
Permit ID: 1-4726-01500/00002  
Effective Date:

Expiration Date:

Permit Issued To: KEYSpan ENERGY DEVELOPMENT CORP  
ONE METROTECH CTR 18TH FL  
BROOKLYN, NY 11201-3851

Contact: ROBERT D TEETZ  
KEYSPAN  
175 E OLD COUNTRY RD  
HICKSVILLE, NY 11801-4280  
(516) 545-2577

Facility: SPAGNOLI ROAD ENERGY CENTER  
SPAGNOLI RD W OF ST RTE 110  
MELVILLE, NY

Contact: PAUL A LYNCH  
KEYSPAN CORP - ENVIRON ENGINEERING  
175 E OLD COUNTRY RD  
HICKSVILLE, NY 11801-4280

Description:  
Application for renewal of Air Title V Facility.

A new 250-megawatt (nominal) natural gas fired combined cycle electric power generation facility. The major components of the facility include one combustion turbine, GE7FA, one unfired heat recovery steam generator (HRSG), a single steam turbine generator, an air-cooled condenser, one exhaust stack, an electric fire pump and a 15,000 gallon aqueous (15% solution) ammonia tank.



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: 6NYCRR 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: 6NYCRR 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: 6NYCRR 621.6(a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
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:KEYSPAN ENERGY DEVELOPMENT CORP  
ONE METROTECH CTR 18TH FL  
BROOKLYN, NY 11201-3851

Facility: SPAGNOLI ROAD ENERGY CENTER  
SPAGNOLI RD W OF ST RTE 110  
MELVILLE, NY

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

Permit Effective Date:

Permit Expiration Date:



## 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

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 8 6NYCRR 200.6: Acceptable Ambient Air Quality
- 3 6NYCRR 201-6.5(a)(7): Fees
- 4 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 5 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 6 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 1 6NYCRR 202-2.1: Compliance Certification
- 2 6NYCRR 202-2.5: Recordkeeping requirements
- 7 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 21 6NYCRR 200.7: Maintenance of Equipment
- 12 6NYCRR 201-1.7: Recycling and Salvage
- 13 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 14 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 15 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 16 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 17 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 18 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 19 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 11 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 9 40CFR 68: Accidental release provisions.
- 10 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 50 6NYCRR 201-6: Emission Unit Definition
- 51 6NYCRR 201-6.1(a)(1): Compliance Certification
- 52 6NYCRR 201-6.1(a)(1): Compliance Certification
- 53 6NYCRR 201-6.1(a)(1): Compliance Certification
- 54 6NYCRR 201-6.1(a)(1): Compliance Certification
- 55 6NYCRR 201-6.1(a)(1): Compliance Certification
- 56 6NYCRR 201-6.1(a)(1): Compliance Certification
- 57 6NYCRR 201-6.5(e): Compliance Certification
- 58 6NYCRR 201-6.5(g): Non Applicable requirements
- 47 6NYCRR 202-2.1(a): Compliance Certification
- 45 6NYCRR 204-1.6: Permit requirements (To be included only in new permits or units).
- 46 6NYCRR 204-2.1: Submissions to the Department.



- 49 6NYCRR 204-4.1: Compliance Certification
  - 59 6NYCRR 204-7.1: Submission of NOx allowance transfers.
  - 60 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
  - 61 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
  - 62 6NYCRR 204-8.2: Compliance Certification
  - 63 6NYCRR 204-8.3: Out of control periods.
  - 64 6NYCRR 204-8.4: Compliance Certification
  - 65 6NYCRR 204-8.7: Compliance Certification
  - 48 6NYCRR 231-2.4: Emission offset requirements
  - 22 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
  - 23 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
  - 24 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
  - 25 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
  - 26 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
  - 27 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
  - 28 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
  - 29 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
  - 30 40CFR 60.8(d), NSPS Subpart A: Prior notice.
  - 31 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
  - 32 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
  - 33 40CFR 60.9, NSPS Subpart A: Availability of information.
  - 34 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
  - 35 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
  - 36 40CFR 60.12, NSPS Subpart A: Circumvention.
  - 37 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
  - 38 40CFR 60.14, NSPS Subpart A: Modifications.
  - 39 40CFR 60.15, NSPS Subpart A: Reconstruction
  - 40 40CFR 75.53(e), Subpart F: Compliance Certification
  - 41 40CFR 75.53(f), Subpart F: Compliance Certification
  - 42 40CFR 75.54(a), Subpart F: Compliance Certification
  - 43 40CFR 75.58(b)(2), Subpart F: Compliance Certification
  - 44 40CFR 75.58(b)(3), Subpart F: Compliance Certification
- Emission Unit Level**
- 66 6NYCRR 201-6: Emission Point Definition By Emission Unit
  - 67 6NYCRR 201-6: Process Definition By Emission Unit

**EU=U-00001**

- 76 6NYCRR 201-6.1(a): Compliance Certification
- 77 6NYCRR 201-6.1(a): Compliance Certification
- 78 6NYCRR 201-6.1(a): Compliance Certification
- 79 6NYCRR 201-6.1(a): Compliance Certification
- 69 6NYCRR 227-1.3(a): Compliance Certification
- 70 6NYCRR 231-2.5: Compliance Certification
- 71 6NYCRR 231-2.5: Compliance Certification
- 72 6NYCRR 231-2.5: Compliance Certification
- 73 6NYCRR 231-2.5: Compliance Certification
- 74 6NYCRR 231-2.5: Compliance Certification
- 75 6NYCRR 231-2.5: Compliance Certification
- 68 40CFR 60.334(b), NSPS Subpart GG: Compliance Certification



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

- 80 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 81 40CFR 60.333(a), NSPS Subpart GG: Compliance Certification
- 82 40CFR 60.333(b), NSPS Subpart GG: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 83 ECL 19-0301: Contaminant List
- 84 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 102 6NYCRR 211.2: Air pollution prohibited
- 86 6NYCRR 237-1.6(a): General condition (specifying 12 month submittal)
- 87 6NYCRR 237-1.6(c): Compliance Demonstration
- 91 6NYCRR 237-1.6(f): Liability- facility no common stacks
- 92 6NYCRR 237-1.6(g): Effect on other Authorities
- 94 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
- 96 6NYCRR 237-4.1: Compliance Demonstration
- 98 6NYCRR 237-7.1: Submission of NOx allowance transfers
- 101 6NYCRR 237-8: Compliance Demonstration
- 85 6NYCRR 238-1.6(a): Permit requirements to be included in new permits or units only
- 88 6NYCRR 238-1.6(c): Compliance Demonstration
- 89 6NYCRR 238-1.6(e): Compliance Demonstration
- 90 6NYCRR 238-1.6(f): Liability
- 93 6NYCRR 238-1.6(g): Effect on Other Authorities
- 95 6NYCRR 238-2.1: Submissions to the Department
- 97 6NYCRR 238-4.1: Compliance Demonstration
- 99 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 100 6NYCRR 238-8: Monitoring and Reporting requirements



**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

(1) An emergency occurred and that the facility owner and/or

operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the



effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

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

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

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





- (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 5: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective for entire length of Permit**

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

**Item 5.1:**

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 6: Compliance Certification**  
**Effective for entire length of Permit**

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

**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:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 202-2.1**

**Item 1.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 1.2:**

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. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 2: Recordkeeping requirements  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-2.5**

**Item 2.1:**

(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 7: Open Fires Prohibited at Industrial and Commercial Sites  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 215**

**Item 7.1:**

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

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

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



period shall be specified as "not applicable".]

**Condition 21: Maintenance of Equipment**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 21.1:**

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 for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 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 for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 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 for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 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 for entire length of Permit**







Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 20.1:**

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 9: Accidental release provisions.**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 68**

**Item 9.1:**

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 10: Recycling and Emissions Reduction**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 10.1:**

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 50: Emission Unit Definition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6**

**Item 50.1:**

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

Emission Unit: U-00001

Emission Unit Description:

Emission Unit U00001 represents one GE7FA combustion turbine rated at 1,950 mmBTU/hr (-5 d f-natural gas firing only). The turbine is equipped with an unfired heat recovery steam generator (HRSG), which supplies steam to one steam turbine. The combined cycle unit will vent to a 195-foot stack. The combined cycle facility will generate approximately 250 MW of power

Building(s): BLDG01

**Condition 51: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)(1)**

**Item 51.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate Matter PM-10 emissions are limited to 0.0182 lb/mmBtu. Initial stack testing is required to verify compliance with this limit. Limit based on High Heating Value.

Manufacturer Name/Model Number: UNK

Parameter Monitored: NATURAL GAS

Upper Permit Limit: 0.0182 pounds per million Btus

Reference Test Method: 40CFR 60 Method 201A/202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



DESCRIPTION

Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)(1)**

**Item 52.1:**

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

Emission Unit: U-00001

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

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Ammonia emissions are limited to 13.3 lb/hr. Initial stack testing is required to verify compliance with this limit.

Manufacturer Name/Model Number: UNK

Parameter Monitored: AMMONIA

Upper Permit Limit: 13.3 pounds per hour

Reference Test Method: 40CFR60 APP B

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 53: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)(1)**

**Item 53.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 53.2:**

Compliance Certification shall include the following monitoring:



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

Monitoring Description:

Particulate matter emission are limited to 19.4 lb/hr.  
Initial stack testing is required to verify compliance  
with this limit.

Process Material: NATURAL GAS

Manufacturer Name/Model Number: UNK

Parameter Monitored: PARTICULATES

Upper Permit Limit: 19.4 pounds per hour

Reference Test Method: 40 CFR60 Method 201 & 202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 54: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 201-6.1(a)(1)**

**Item 54.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 54.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Sulfur Dioxide emissions are limited to 0.0017 lb/mmBtu.  
Fuel usage records shall be kept on site to verify  
compliance with this limit. Limit based on High Heating  
Value.

Manufacturer Name/Model Number: UNK

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 0.0017 pounds per million Btus

Reference Test Method: NA

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 55: Compliance Certification**



**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)(1)**

**Item 55.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 55.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Sulfur Dioxide emissions are limited to 3.3 lb/hr. Fuel  
usage records shall be kept on site to verify compliance  
with this limit.

Manufacturer Name/Model Number: UNK

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 3.3 pounds per hour

Reference Test Method: NA

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 56:      Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)(1)**

**Item 56.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-41-7      AMMONIA

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Ammonia emissions are limited to 5.0 ppm. Initial stack  
testing is required to demonstrate compliance with this  
emission limit.



Manufacturer Name/Model Number: UNK  
Parameter Monitored: AMMONIA  
Upper Permit Limit: 5 parts per million (by volume)  
Reference Test Method: 40CFR 60 APP B  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR BLOCK AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 57: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 57.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.



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

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

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

The address for the RAPCE is as follows:

NYSDEC- Region 1 Headquarters  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2009.  
Subsequent reports are due on the same day each year

**Condition 58: Non Applicable requirements  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(g)**

**Item 58.1:**

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying



any such requirements as non-applicable.

40CFR 75-B.11(e)

Emission Unit: U00001

Reason: Since the combustion turbine is limited to natural gas firing only, continuous emission monitoring of SO<sub>2</sub> is not required. An alternative monitoring method including fuel flow and fuel sulfur content content will be developed for Agency approval.

**Condition 47: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 47.2:**

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 45: Permit requirements (To be included only in new permits or units).**

**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 204-1.6**

**Item 45.1:** The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall submit to the Department a complete NO<sub>x</sub> Budget permit application (as defined under Section 204-3.3) no later than 12 months before the date on which the NO<sub>x</sub> Budget unit commences operation.

**Condition 46: Submissions to the Department.**

**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 204-2.1**

**Item 46.1:** Each submission under the NO<sub>x</sub> Budget Trading Program shall be submitted, signed and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NO<sub>x</sub> authorized account representative.

**Condition 49: Compliance Certification**  
**Effective for entire length of Permit**





204-8.7 for developing NOx allowance allocations.

(3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.

(4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

**Condition 61: Requirements for recertification of monitoring systems.  
Effective for entire length of Permit**

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

**Item 61.1:** Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

**Condition 62: Compliance Certification  
Effective for entire length of Permit**

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

**Item 62.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 63: Out of control periods.  
Effective for entire length of Permit**



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

**Item 63.1:** Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

**Condition 64: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 64.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division  
401 M Street SW (6204J)  
Washington D.C. 20460

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



The address for the BCME is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

NYS SUNY  
Building 40  
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 65: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 204-8.7**

**Item 65.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a unit that elects to monitor and report NO<sub>x</sub> Mass emissions using a NO<sub>x</sub> concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Monitoring Frequency: HOURLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 48: Emission offset requirements**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.4**





- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 24: Recordkeeping requirements.  
Effective for entire length of Permit**

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

**Item 24.1:**

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

**Condition 25: Excess emissions report.  
Effective for entire length of Permit**

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

**Item 25.1:**

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

**Condition 26: Facility files for subject sources.  
Effective for entire length of Permit**

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

**Item 26.1:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations;all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems





- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 32: Number of required tests.  
Effective for entire length of Permit**

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

**Item 32.1:**

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

**Condition 33: Availability of information.  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A**

**Item 33.1:**

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

**Condition 34: Opacity standard compliance testing.  
Effective for entire length of Permit**

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

**Item 34.1:**

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

- 1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);
- 2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and
- 3) all other applicable conditions cited in section 60.11 of this part.

**Condition 35: Compliance with Standards and Maintenance Requirements  
Effective for entire length of Permit**







Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the facility shall include the requirements in 40 CFR 75.53(f) in the development of the monitoring plan for the continuous emissions monitor if the owner or operator opts to use the protocol in Appendix E for estimating the NO<sub>x</sub> emission rate.

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 42: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 75.54(a), Subpart F**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Recordkeeping requirements for affected sources. The owner or operator of any affected source subject to the requirements of this part shall maintain for each affected unit a file of all measurements, data, reports, and other information required by this part at the source in a form suitable for inspection for at least five (5) years from the date of each record. Unless otherwise provided, throughout this subpart the phrase "for each affected unit" also applies to each group of affected or nonaffected units utilizing a common stack and common monitoring systems, pursuant to §§75.16 through 75.18, or utilizing a common pipe header and common fuel flowmeter, pursuant to section 2.1.2 of appendix D of this part. The file shall contain the following information:

(1) The data and information required in paragraphs (b) through (g) of 40 CFR 75.54, beginning with the earlier of the date of provisional certification, or the deadline in §75.4(a), (b) or (c);

(2) The supporting data and information used to calculate values required in paragraphs (b) through (f) of this section, excluding the subhourly data points used to compute hourly averages under §75.10(d), beginning with the earlier of the date of provisional certification, or the deadline in §75.4(a), (b) or (c);

(3) The data and information required in §75.55 of this part for specific situations, as applicable, beginning



- with the earlier of the date of provisional certification, or the deadline in §75.4(a), (b) or (c);
- (4) The certification test data and information required in §75.56 for tests required under §75.20, beginning with the date of the first certification test performed, and the quality assurance and quality control data and information required in §75.56 for tests and the quality assurance/quality control plan required under §75.21 and appendix B of this part, beginning with the date of provisional certification;
- (5) The current monitoring plan as specified in §75.53, beginning with the 264 initial submission required by §75.62; and
- (6) The quality control plan as described in appendix B to this part, beginning with the date of provisional certification.

Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 43: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 75.58(b)(2), Subpart F**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For units with add-on NOX emission controls using the optional parametric monitoring procedures in appendix C to this part, for each hour of missing NOX emission rate data the owner or operator shall record:

- (i) Date and hour;
- (ii) Inlet air flow rate (scfh, rounded to the nearest thousand);
- (iii) Excess O<sub>2</sub> concentration of flue gas at stack outlet (percent, rounded to the nearest tenth of a percent);
- (iv) Carbon monoxide concentration of flue gas at stack outlet (ppm, rounded to the nearest tenth);
- (v) Temperature of flue gas at furnace exit or economizer outlet duct (°F);



(vi) Other parameters specific to NOX emission controls (e.g., average hourly reagent feedrate);

(vii) Method of determination of NOX emission rate using Codes 1-15 in Table 4 of § 75.54 or Codes 1-55 in Table 4a of § 75.57; and

(viii) Inlet and outlet NOX emission rate values recorded by a NOX continuous emission monitoring system and the removal efficiency of the add-on emission controls.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 44: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 75.58(b)(3), Subpart F**

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(3) For units with add-on SO<sub>2</sub> or NOX emission controls following the provisions of § 75.34(a)(1) or (a)(2), the owner or operator shall, for each hour of missing SO<sub>2</sub> or NOX emission data, record:

(i) Parametric data which demonstrate the proper operation of the add-on emission controls, as described in the quality assurance/quality control program for the unit. The parametric data shall be maintained on site and shall be submitted, upon request, to the Administrator, EPA Regional office, State, or local agency;

(ii) A flag indicating either that the add-on emission controls are operating properly, as evidenced by all parameters being within the ranges specified in the quality assurance/quality control program, or that the add-on emission controls are not operating properly;

(iii) For units substituting a representative SO<sub>2</sub> concentration during missing data periods under § 75.34(a)(2), any available inlet and outlet SO<sub>2</sub> concentration values recorded by an SO<sub>2</sub> continuous emission monitoring system; and



(iv) For units substituting a representative NOX emission rate during missing data periods under § 75.34(a)(2), any available inlet and outlet NOX emission rate values recorded by a continuous emission monitoring system.

Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

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

**Condition 66: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6**

**Item 66.1:**

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 195

Diameter (in.): 216

NYTMN (km.): 4513.19

NYTME (km.): 632.3

Building: BLDG01

**Condition 67: Process Definition By Emission Unit  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6**

**Item 67.1:**

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

Emission Unit: U-00001

Process: P01

Source Classification Code: 2-01-002-01

Process Description:

Emission Unit U00001 represents one natural gas-fired GE 7FA combustion turbine, rated at 1,788 mmBTU/hr during average ambient conditions (51.3 d f) and 1,950 mmBTU/hr maximum (at -5 d f). Process P01 represents natural gas operation of the combustion turbine and the turbine will be limited to natural gas firing only. Dry low NOx combustion technology and Selective Catalytic Reduction will be used for control of NOx and associated emissions. VOC and CO emissions will also be controlled by the use of an oxidation catalyst. The total throughput limits specified below represent the maximum fuel usage, on an hourly and annual basis.

Emission Source/Control: CC001 - Combustion

Design Capacity: 1,950 million Btu per hour



Emission Source/Control: CAT01 - Control  
Control Type: CATALYTIC REDUCTION

Emission Source/Control: DLN01 - Control  
Control Type: DRY LOW NO<sub>x</sub> BURNER

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

**Condition 76: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)**

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 76.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Carbon Monoxide emissions are limited to 8.7 lb/hr.  
Initial stack testing is required to verify compliance  
with this emission limit.

Manufacturer Name/Model Number: UNK  
Upper Permit Limit: 8.7 pounds per hour  
Reference Test Method: 40CFR60 APP A M-10  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 77: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)**

**Item 77.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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



**Item 77.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Carbon emissions are limited to 2.0 ppm by volume (dry, corrected to 15% Oxygen ). Initial stack testing is required to verify compliance with this limit.

Manufacturer Name/Model Number: UNK

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

Reference Test Method: 40CFR60 APP A M-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 78: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 201-6.1(a)**

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 78.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Carbon Monoxide emissions are limited to 0.0045 lbmmBtu.  
Initial stack testing is required to demonstrate compliance with this emission limit. Limit based on High Heating Value.

Manufacturer Name/Model Number: UNK

Upper Permit Limit: 0.0045 pounds per million Btus

Reference Test Method: 40CFR60 APP A M- 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 79: Compliance Certification**



**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.1(a)**

**Item 79.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 79.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

BACT Emission Limit. Records for demonstration of compliance with the VOC emission limit shall be maintained on site for five years. Any exceedances of the allowable annual VOC emission limitation must be reported to the DEC Regional Office within 10 working days of the exceedance.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: VOC's

Upper Permit Limit: 13.9 tons per year

Monitoring Frequency: ANNUALLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 69:    Compliance Certification  
Effective for entire length of Permit**

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

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 69.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate combustion installation which



exhibits greater than 20% opacity (six consecutive minute average), except for one-six minute period per hour of not more than 27% opacity.

Manufacturer Name/Model Number: UNK  
Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: 40CFR60 App. A M 9  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 70: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.5**

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 70.2:**

Compliance Certification shall include the following monitoring:

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

NOx emissions are limited to 2.0 ppm by volume ( dry, corrected to 15% Oxygen ). Initial stack testing is required to verify compliance with this emission limit. CEM to monitor NOx stack emissions.

Manufacturer Name/Model Number: UNK  
Parameter Monitored: CONCENTRATION  
Upper Permit Limit: 2.0 parts per million by volume (dry, corrected to 15% O2)  
Reference Test Method: 40CFR60 APP A M-20  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR BLOCK AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 71: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.5**



**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

VOC emissions are limited to 3.5 lb/hr. Initial stack testing is required to demonstrate compliance with emission limit.

Manufacturer Name/Model Number: NA

Upper Permit Limit: 3.5 pounds per hour

Reference Test Method: 40CFR60 Method 25

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 72:    Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.5**

**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

VOC emissions are limited to 1.4 ppm by volume ( dry, corrected to 15% Oxygen ). Initial stack testing is required to demonstrate compliance with emission limit.

Manufacturer Name/Model Number: UNK

Upper Permit Limit: 1.4 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)



Reference Test Method: 40CFR60 Method 25  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 73: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.5**

**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 73.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:

VOC emissions are limited to 0.0018 lb/mmBtu. down.  
Initial stack testing is required to demonstrate  
compliance with emission limit. Limit based on High  
Heating Value.

Manufacturer Name/Model Number: UNK  
Upper Permit Limit: 0.0018 pounds per million Btus  
Reference Test Method: 40CFR60 Method 25  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 74: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.5**

**Item 74.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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



**Item 74.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOx emissions are limited to 0.0073 lb/mmBtu. Initial stack testing is required to verify compliance with this emission limit. Limit based on High Heating Value.

Manufacturer Name/Model Number: UNK

Upper Permit Limit: 0.0073 pounds per million Btus

Reference Test Method: 40CFR60 APP A M-20

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 75: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 231-2.5**

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

LAER emission limit. Records for demonstration of compliance with the NOx emission limit shall be maintained on site for five years. These records shall include i) mass emissions totaled over each 24-hour daily period (the total of hourly averages 12:00 midnight to the following midnight), and ii) the total mass emissions over a 365 day period beginning with the start-up of the facility. Any exceedances of the allowable annual NOx emission limitation must be reported in writing to the DEC Regional office within 10 working days of the exceedance.

Manufacturer Name/Model Number: SCR Manufacturer: Unknown

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 57.3 tons per year

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY



Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 68: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Records of fuel supply and sample analysis for the determination of sulfur and nitrogen content in fuel for the stationary gas turbine shall be kept and retained for a period of three (3) years and be available for inspection by personnel of federal, state and local air pollution control agencies. A custom fuel monitoring plan will be submitted for review and approval sixty (60) days prior to operation of the facility.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 80: Applicability of General Provisions of 40 CFR 60 Subpart A**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart A**

**Item 80.1:**

This Condition applies to Emission Unit: U-00001 Emission Point: 00001

**Item 80.2:**

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

**Condition 81: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.333(a), NSPS Subpart GG**

**Item 81.1:**

The Compliance Certification activity will be performed for:



Emission Unit: U-00001

Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 81.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No owner or operator subject to the provisions of 40CFR60 Subpart GG shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis. Compliance shall be determined by performing an emission test using test methods and procedures specified in 40CFR60.335.

Upper Permit Limit: 0.015 percent by volume

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 82: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.333(b), NSPS Subpart GG**

**Item 82.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 82.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary gas turbine subject to 40CFR60 Subpart GG shall burn in that turbine any fuel which contains sulfur in excess of 0.8 percent by weight. The owner or operator shall monitor sulfur content of the fuel being fired in the turbine according to the frequency specified in 40CFR60.334(b).

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.8 percent by weight



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 83: Contaminant List  
Effective for entire length of Permit**

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

**Item 83.1:**

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

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

CAS No: 007446-09-5



Name: SULFUR DIOXIDE

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

**Condition 84: Unavoidable noncompliance and violations  
Effective for entire length of Permit**

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

**Item 84.1:**

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

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

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



conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

**Condition 102: Air pollution prohibited**  
**Effective for entire length of Permit**

**Applicable State Requirement:6NYCRR 211.2**

**Item 102.1:**

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

**Condition 86: General condition (specifying 12 month submital)**  
**Effective for entire length of Permit**

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

**Item 86.1:** The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall: Submit to the department a complete NO<sub>x</sub> budget permit application under NYCRR 237-3.3; twelve (12) months before the date on which the NO<sub>x</sub> Budget unit commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NO<sub>x</sub> budget permit application and issue or deny a NO<sub>x</sub> budget permit.

The owners and operators of each NO<sub>x</sub> budget unit shall have a NO<sub>x</sub> budget permit and operate the unit in compliance with such NO<sub>x</sub> budget permit.

**Condition 87: Compliance Demonstration**  
**Effective for entire length of Permit**



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

**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:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

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

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

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

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

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

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

The owners and operators of a NOx budget unit that has



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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 91: Liability- facility no common stacks  
Effective for entire length of Permit**

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

**Item 91.1:**

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

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

**Condition 92: Effect on other Authorities  
Effective for entire length of Permit**

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

**Item 92.1:**

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 94: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.**

**Effective for entire length of Permit**

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

**Item 94.1:** Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

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



units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

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

**Condition 96: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 96.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 96.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NOx



budget emissions limitation for the control period covered by the report:

- (1) identification of each NO<sub>x</sub> budget unit;
- (2) except in instances when the NO<sub>x</sub> budget unit seeks to use future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

- (a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;
- (c) whether all the NO<sub>x</sub> emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported



in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

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

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 98: Submission of NO<sub>x</sub> allowance transfers  
Effective for entire length of Permit**

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

**Item 98.1:**

The NO<sub>x</sub> authorized account representatives seeking recordation of a NO<sub>x</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NO<sub>x</sub> 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 NO<sub>x</sub> allowance to be transferred; and
- (c) the printed name and signature of the NO<sub>x</sub> authorized account representative of the transferor account and the date signed.

**Condition 101: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 101.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 101.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 85: Permit requirements to be included in new permits or units only**  
**Effective for entire length of Permit**

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

**Item 85.1:**

The SO2 authorized account representative of each SO2 budget unit shall:

(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2, which states the later of October 1, 2004 or 12 months before the date on which the SO2 budget unit commences operation;

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

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

**Condition 88: Compliance Demonstration**  
**Effective for entire length of Permit**

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



**Item 88.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 88.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of each SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

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

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.



The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall: Forfeit the SO<sub>2</sub> allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 12 calendar month(s).

**Condition 89: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**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:

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

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

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO<sub>2</sub> Budget Trading Program;

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



with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 12 calendar month(s).

**Condition 90: Liability**  
**Effective for entire length of Permit**

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

**Item 90.1:**

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 93: Effect on Other Authorities**  
**Effective for entire length of Permit**

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

**Item 93.1:**

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

**Condition 95: Submissions to the Department**  
**Effective for entire length of Permit**



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

**Item 95.1:**

Each submission under the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO<sub>2</sub> authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO<sub>2</sub> budget sources or SO<sub>2</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 97: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 97.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 97.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO<sub>2</sub> authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO<sub>2</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each SO<sub>2</sub> budget unit;
- (2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be



deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

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

(a) whether the unit was operated in compliance with the SO<sub>2</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for



certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 99: Submission of SO2 allowance transfers  
Effective for entire length of Permit**

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

Item 99.1:

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 100: Monitoring and Reporting requirements  
Effective for entire length of Permit**

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

**Item 100.1:** The owners and operators, and to the extent applicable, the SO2 authorized account representative of an SO2 budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO2 budget unit," and "SO2 authorized account representative," respectively, as defined in NYCRR 238-1.2.

New York State Department of Environmental Conservation

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