

New York State Department of Environmental Conservation
Facility DEC ID: 2610100042



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6101-00042/00011
Mod 0 Effective Date: 08/13/2002 Expiration Date: 08/12/2007
Mod 1 Effective Date: 10/18/2005 Expiration Date: 08/12/2007

Permit Issued To: CONSOLIDATED EDISON COMPANY OF NEW YORK INC
4 IRVING PL RM 828
NEW YORK, NY 10003-3502

Contact: OLEG KROTOFF
CONSOLIDATED EDISON CO OF NY INC
4 IRVING PLACE - RM 828
NEW YORK, NY 10003-3502
(212) 460-4413

Facility: CON EDISON - HUDSON AVE STATION
1-11 HUDSON AVE
BROOKLYN, NY 11201

Contact: OLEG KROTOFF
CONSOLIDATED EDISON CO OF NY INC
4 IRVING PLACE - RM 828
NEW YORK, NY 10003-3502
(212) 460-4413

Description:
Consolidated Edison Hudson Avenue Station is an electricity and steam generating facility. The facility currently operates four boilers (one rated at 664 MMBTU/hr, & three rated at 688 MMBTU/hr) and three combustion turbines each rated at 235 MMBTU/hr. The four (4) boilers combust residual oil and the turbines combust distillate oil. One of the combustion turbines is equipped with a diesel starter engine.

New York State Department of Environmental Conservation
Facility DEC ID: 2610100042



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: JOHN F CRYAN
 DIVISION OF ENVIRONMENTAL PERMITS
 ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2

HEADQUARTERS



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

Item 3.3:



New York State Department of Environmental Conservation
Facility DEC ID: 2610100042

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

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

Item 4.1:

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

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: CONSOLIDATED EDISON COMPANY OF NEW YORK INC
4 IRVING PL RM 828
NEW YORK, NY 10003-3502

Facility: CON EDISON - HUDSON AVE STATION
1-11 HUDSON AVE
BROOKLYN, NY 11201

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4961 - STEAM SUPPLY

Mod 0 Permit Effective Date: 08/13/2002

Permit Expiration Date: 08/12/2007

Mod 1 Permit Effective Date: 10/18/2005

Permit Expiration Date: 08/12/2007



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 1-2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 1-3 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 8 6NYCRR 202-2.1: Compliance Certification
- 9 6NYCRR 202-2.5: Recordkeeping requirements
- 1-4 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 1-5 6NYCRR 200.7: Maintenance of Equipment
- 1-6 6NYCRR 201-1.7: Recycling and Salvage
- 1-7 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 1-8 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 1-9 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 1-10 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 1-11 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 1-12 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 1-13 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 1-14 6NYCRR 202-1.1: Required Emissions Tests
- 1-15 6NYCRR 211.3: Visible Emissions Limited
- 1-16 40CFR 68: Accidental release provisions.
- 41 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 1 6NYCRR 200.3: False statement
- 2 6NYCRR 201-6: Emission Unit Definition
- 10 6NYCRR 204-1.6: Permit requirements.
- 11 6NYCRR 204-2.1: Submissions to the Department.
- 12 6NYCRR 204-4.1: Contents of reports and compliance certifications.
- 13 6NYCRR 204-4.1: Discretionary report contents.
- 14 6NYCRR 204-4.1: Compliance Certification
- 15 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 16 6NYCRR 204-8.1: General provisions.
- 17 6NYCRR 204-8.1: Prohibitions.
- 18 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 19 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 20 6NYCRR 204-8.2: Compliance Certification
- 21 6NYCRR 204-8.3: Out of control periods.
- 22 6NYCRR 204-8.4: Compliance Certification
- 23 6NYCRR 204-8.7: Compliance Certification



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

- 1-17 6NYCRR 207.3(d): Compliance Certification
- 25 6NYCRR 225-1.2(a)(2): Compliance Certification
- 26 6NYCRR 225-1.2(a)(2): Compliance Certification
- 27 6NYCRR 225-1.4: Temporary variances.
- 1-18 6NYCRR 225-1.7(c): Compliance Certification
- 30 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 1-19 6NYCRR 225.7(a): Compliance Certification
- 31 6NYCRR 227-2.1: This condition states the facility is applicable to
NO_x RACT.
- 32 6NYCRR 227-2.5(b): Compliance Certification
- 38 6NYCRR 231-2.4: Notification/Reporting requirements
- Emission Unit Level**
- 42 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 43 6NYCRR 201-6: Process Definition By Emission Unit

EU=H-A0001

- 1-20 6NYCRR 201-6.5(e): Compliance Certification
- 46 6NYCRR 227-1.3: Compliance Certification
- 1-21 6NYCRR 227-1.3: Compliance Plan

EU=H-A0001,Proc=ROL

- 49 6NYCRR 227-1.2(a)(1): Compliance Certification

EU=H-A0005

- 59 6NYCRR 227-2.6(c): Compliance Certification

EU=H-A0005,Proc=GTD,ES=GT003

- 61 6NYCRR 227.2(b)(1): Compliance Certification

EU=H-A0005,Proc=GTD,ES=GT004

- 62 6NYCRR 227.2(b)(1): Compliance Certification

EU=H-A0005,Proc=GTD,ES=GT005

- 63 6NYCRR 227.2(b)(1): Compliance Certification

EU=H-A0005,EP=GT003

- 64 6NYCRR 227-1.3(a): Compliance Certification

EU=H-A0005,EP=GT004

- 65 6NYCRR 227-1.3(a): Compliance Certification

EU=H-A0005,EP=GT005

- 66 6NYCRR 227-1.3(a): Compliance Certification



STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 67 ECL 19-0301: Contaminant List
- 68 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 70 6NYCRR 211.2: Air pollution prohibited



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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

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

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

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

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

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

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

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

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

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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

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

Condition 1-1: Acceptable Ambient Air Quality
Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 200.6

Item 1-1.1:

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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

Condition 1-2: Fees

Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 3.1:

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

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

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

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 4.1:

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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 1-3: Compliance Certification

Effective between the dates of 10/18/2005 and 08/12/2007

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

Replaces Condition(s) 5

Item 1-3.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-3.2:

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

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



periods described in paragraphs (1) and (4) above.

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 6: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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 Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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:

Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
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 7/30/2003.
Subsequent reports are due on the same day each year

Condition 8: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 8.1:

The Compliance Certification activity will be performed for the Facility.

Item 8.2:

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)



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Reports due by April 15th for previous calendar year

Condition 9: Recordkeeping requirements
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 9.1:

(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 1-4: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 215

Item 1-4.1:

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 1-5: Maintenance of Equipment
Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 200.7

Item 1-5.1:

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

specifications, required to operate such device effectively.

Condition 1-6: Recycling and Salvage
Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 1-6.1:

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 1-7: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 1-7.1:

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

Condition 1-8: Exempt Sources - Proof of Eligibility
Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-8.1:

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 1-9: Trivial Sources - Proof of Eligibility
Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-9.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart,



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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 1-10: Standard Requirement - Provide Information

Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-10.1:

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

Condition 1-11: General Condition - Right to Inspect

Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-11.1:

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

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

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

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

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

Condition 1-12: Standard Requirements - Progress Reports

Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-12.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

department. Such progress reports shall contain the following:

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

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

Condition 1-13: Off Permit Changes

Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-13.1:

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

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

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

Condition 1-14: Required Emissions Tests

Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 1-14.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 1-15: Visible Emissions Limited

Effective between the dates of 10/18/2005 and 08/12/2007

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



Applicable Federal Requirement: 6NYCRR 211.3

Item 1-15.1:

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 1-16: Accidental release provisions.

Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 40CFR 68

Replaces Condition(s) 40

Item 1-16.1:

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 41: Recycling and Emissions Reduction

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 41.1:

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

The following conditions are subject to annual compliance certification requirements

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



for Title V permits only.

Condition 1: False statement
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 200.3

Item 1.1:

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

Condition 2: Emission Unit Definition
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 201-6

Item 2.1(From Mod 1):

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

Emission Unit: H-A0001

Emission Unit Description:

Very large boilers 71, 72, 81, and 82 are face fired. These boilers can combust residual oil, residual oil and additive, and have kerosene ignition capability. These boilers may also have natural gas capability in the future.

Building(s): BOILERHS

Item 2.2(From Mod 1):

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

Emission Unit: H-A0005

Emission Unit Description:

Three (3) simple cycle combustion turbines utilized to generate electricity. The combustion turbines burn distillate fuel only. Combustion turbine No. 3 has a diesel starter engine.

Building(s): GTFAC

Item 2.3(From Mod 0):

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

Emission Unit: H-A0002 End Date: 09/18/2004

Emission Unit Description:

Boiler 100 is a very large face-fired boiler rated at 1,956 MMBTU/hour. This boiler combusts residual oil and



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

has natural gas ignition capability. Boiler 100 is equipped with flue gas recirculation and low NOx burners to reduce NOx emissions. A State Facility Permit was issued by the DEC for Boiler 100 on July 5, 2001. Boiler 100 may not be operated after October 1, 2004. Steam generated in Boiler 100 is used to drive a turbine. The turbine has a lube oil vapor extractor.

Building(s): ANNEX

Condition 10: Permit requirements.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 10.1: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

Condition 11: Submissions to the Department.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 11.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.1(e)(1)) by the NOx authorized account representative.

Condition 12: Contents of reports and compliance certifications.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 12.1: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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

Condition 13: Discretionary report contents.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 13.1: At the NOx authorized account representative's option the following may be included in the compliance certification report:

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

Condition 14: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 14.1:
The Compliance Certification activity will be performed for the Facility.

Item 14.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx Budget units at a source are subject to the NOx Budget emissions



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

limitation, the NO_x authorized account representative of the source shall submit to the Department and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 15: Submission of NO_x allowance transfers.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 15.1: The NO_x authorized account representatives seeking recordation of a NO_x allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NO_x allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 16: General provisions.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 16.1: The owners and operators, and to the extent applicable, the NO_x authorized account representative of a NO_x Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NO_x Budget unit," "NO_x authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

Condition 17: Prohibitions.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 17.1: No owner or operator of a NO_x Budget unit or a non-NO_x Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

- (1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
- (2) operate the unit so as to discharge, or allow to be discharged, NO_x emissions to the atmosphere



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;

(3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NO_x mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and

(4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:

(i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or

(ii) The NO_x authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 18: Requirements for installation, certification, and data accounting.

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 18.1: The owner or operator of each NO_x Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO_x Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NO_x mass. This includes all systems required to monitor NO_x emission rate, NO_x concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.

(2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NO_x allowance allocations.

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

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

Condition 19: Requirements for recertification of monitoring systems.

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 19.1: 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 NO_x mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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 20: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 20.1:

The Compliance Certification activity will be performed for the Facility.

Item 20.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a NO_x Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NO_x mass, heat input (if required for purposes of allocations) and any other values required to determine NO_x Mass (e.g. NO_x emission rate and heat input or NO_x 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 21: Out of control periods.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 21.1: 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 22: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.4

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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:

Hunters Point Plaza
47-20 21st Street
Long Island City, NY 11101-5407

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 204-8.7

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: HOURLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2002.

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

Condition 1-17: Compliance Certification
Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 207.3(d)



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Item 1-17.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

When the Commissioner determines that an air pollution episode is in effect, the facility shall take the actions as prescribed in the most recent approved episode action plan. The facility must also maintain an air pollution episode log at the facility.

The most recent approved episode action plan, is available for review at the regional office of the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 25: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Upper Permit Limit: 0.20 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: MONTHLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 9/30/2002.
Subsequent reports are due every 1 calendar month(s).

Condition 26: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any
residual oil fuel which contains sulfur in a quantity
exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.30 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: MONTHLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 9/30/2002.
Subsequent reports are due every 1 calendar month(s).

Condition 27: Temporary variances.
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 225-1.4

Item 27.1:

Upon application by an air contamination source owner or a fuel supplier the commissioner may issue an order granting a temporary variance from the provisions of 6 NYCRR Part 225-1 where it can be shown,



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

to the commissioner's satisfaction, that there is an insufficient supply of conforming fuel, either:

- (1) of the proper type required for use in a particular air contamination source; or
- (2) generally throughout an area of the State.

Condition 1-18: Compliance Certification

Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 225-1.7(c)

Item 1-18.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-18.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 225-1.7(c) requires that measurements must be made daily of the rate of each fuel burned. Also, the facility must measure the gross heat content and ash content of each fuel burned (determined at least once per week), and the average electrical output (daily) and hourly generation rate. This information must be retained by the source owner for a period of three years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 30: Sampling, compositing, and analysis of fuel samples

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 225-1.8(d)

Item 30.1:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

Condition 1-19: Compliance Certification

Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 225.7(a)



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Item 1-19.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: MONTHLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 11/30/2005.

Subsequent reports are due every 1 calendar month(s).

Condition 31: This condition states the facility is applicable to NOx RACT.

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 227-2.1

Item 31.1:

This facility is subject to NOx RACT.

Condition 32: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 227-2.5(b)

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Monitoring Description:

Con Edison's system-wide averaging of NO_x emissions from its facilities shall be performed in accordance with the most current version of the NO_x RACT Compliance Plan and the NO_x RACT Operating Plan, approved by the Department.

The most current version of the NO_x RACT Compliance and Operating Plans are attached to this permit and constitute an enforceable part of the permit.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2002.

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

**Condition 38: Notification/Reporting requirements
Effective between the dates of 08/13/2002 and 08/12/2007**

Applicable Federal Requirement: 6NYCRR 231-2.4

Item 38.1:

At least sixty (60) days prior to the scheduled commence operation date of the proposed source project or proposed major facility, the permittee shall submit any changes to the list of offset sources included in this permit. For each such change, the applicant must submit another "Use of Emission Reduction Credits Form" signed by the applicant and an authorized representative of the new offset source.

Item 38.2:

The facility shall submit to the DEC Regional office a letter of confirmation that each future emission reduction, if any, used to provide emission offsets for this facility has physically occurred. This letter should be submitted, not less than 10 working days, prior to the facility's scheduled start-up date.

Item 38.3:

This permit shall be subject to revocation if construction is not commenced within 18 months from the date of issuance of such permit or if construction is discontinued for a period of 18 months or more (excluding any period of time that the permit is subject to challenge in State or Federal court), or if construction is not completed within a reasonable time acceptable to the Department.

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

**Condition 42: Emission Point Definition By Emission Unit
Effective between the dates of 08/13/2002 and 08/12/2007**

Applicable Federal Requirement: 6NYCRR 201-6



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Item 42.1(From Mod 1):

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

Emission Unit: H-A0001

Emission Point: 00004

Height (ft.): 377

Diameter (in.): 275

NYTMN (km.): 4506.4

NYTME (km.): 586.

Building: BOILERHS

Item 42.2(From Mod 1):

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

Emission Unit: H-A0005

Emission Point: GT003

Height (ft.): 47

Length (in.): 252

Width (in.): 120

NYTMN (km.): 4506.4

NYTME (km.): 586.

Building: GTFAC

Emission Point: GT004

Height (ft.): 47

Length (in.): 252

Width (in.): 120

NYTMN (km.): 4506.4

NYTME (km.): 586.

Building: GTFAC

Emission Point: GT005

Height (ft.): 47

Length (in.): 252

Width (in.): 120

NYTMN (km.): 4506.4

NYTME (km.): 586.

Building: GTFAC

Item 42.3(From Mod 0):

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

Emission Unit: H-A0002

Emission Point: 00005

Height (ft.): 356

Diameter (in.): 183

NYTMN (km.): 4506.623

NYTME (km.): 586.033

Building: ANNEX

Emission Point: VE010

Height (ft.): 35

Diameter (in.): 4

NYTMN (km.): 4506.6

NYTME (km.): 586.

Building: ANNEX

Condition 43: Process Definition By Emission Unit

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 201-6

Item 43.1(From Mod 1):

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Emission Unit: H-A0001

Process: ROF

Source Classification Code: 1-01-004-01

Process Description:

This process includes four face fired boilers (Boilers 71, 72, 81, 82). Three boilers (Nos. 71,72,81) are rated at 688 MMBtu/hr. Boiler 82 is rated at 664 MMBtu/hr. This process covers combustion of residual oil in these boilers, and to improve boiler operation a fuel additive may be mixed into the residual oil prior to combustion. These boilers have kerosene ignition.

Emission Source/Control: 00071 - Combustion

Design Capacity: 688 million Btu per hour

Emission Source/Control: 00072 - Combustion

Design Capacity: 688 million Btu per hour

Emission Source/Control: 00081 - Combustion

Design Capacity: 688 million Btu per hour

Emission Source/Control: 00082 - Combustion

Design Capacity: 664 million Btu per hour

Item 43.2(From Mod 1):

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

Emission Unit: H-A0001

Process: ROL

Source Classification Code: 1-01-004-01

Process Description:

This process includes four face fired boilers (Boilers 71, 72, 81, 82). Three boilers (Nos. 71,72,81) are rated at 688 MMBtu/hr. Boiler 82 is rated at 664 MMBtu/hr. This process covers combustion of residual oil in these boilers. Boilers 71, 72, 81, and 82 have kerosene ignition.

Emission Source/Control: 00071 - Combustion

Design Capacity: 688 million Btu per hour

Emission Source/Control: 00072 - Combustion

Design Capacity: 688 million Btu per hour

Emission Source/Control: 00081 - Combustion

Design Capacity: 688 million Btu per hour

Emission Source/Control: 00082 - Combustion

Design Capacity: 664 million Btu per hour

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



Item 43.3(From Mod 1):

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

Emission Unit: H-A0005

Process: GTD

Source Classification Code: 2-01-001-01

Process Description:

This process includes three combustion turbines rated at 235 MMBtu/hr each. This process covers the combustion of distillate fuel oil.

Emission Source/Control: GT003 - Combustion

Design Capacity: 235 million Btu per hour

Emission Source/Control: GT004 - Combustion

Design Capacity: 235 million Btu per hour

Emission Source/Control: GT005 - Combustion

Design Capacity: 235 million Btu per hour

Item 43.4(From Mod 0):

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

Emission Unit: H-A0002

Process: NAG

Source Classification Code: 1-01-006-01

Process End Date: 9/18/2004

Process Description:

This process includes one face-fired boiler (Boiler 100) rated at 1,956 MMBTU/hr and covers the combustion of natural gas for ignition.

Emission Source/Control: 00100 - Combustion

Design Capacity: 1,956 million Btu per hour

Emission Source/Control: FG100 - Control

Control Type: FLUE GAS RECIRCULATION

Item 43.5(From Mod 0):

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

Emission Unit: H-A0002

Process: ROI

Source Classification Code: 1-01-004-01

Process End Date: 9/18/2004

Process Description:

This process includes one face-fired boiler (Boiler 100) rated at 1,956 MMBTU/hr and covers the combustion of residual oil in the boiler.



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Emission Source/Control: 00100 - Combustion
Design Capacity: 1,956 million Btu per hour

Emission Source/Control: FG100 - Control
Control Type: FLUE GAS RECIRCULATION

Condition 1-20: Compliance Certification

Effective between the dates of 10/18/2005 and 08/12/2007

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

Item 1-20.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0001

Item 1-20.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall take Preventive and corrective measures to optimize the combustion efficiency of the boilers. The facility shall follow the boiler maintenance procedures provided by the manufacturer. The boiler tune-ups which should include measuring boiler combustion efficiency must be performed annually for the four boilers, emission sources 00071, 00072, 00081 and 00082 listed in this emission unit. The owner or operator shall maintain a log (in a format acceptable to the Department) containing the following information:

- (1) The date when the tune-up was performed;
- (2) A summary list of the items adjusted as part of the tune-up;
- and,
- (3) The name, title and affiliation of the person(s) who performed the adjustments.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 46: Compliance Certification



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Stack opacity shall not exceed 20 percent (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with this standard shall be determined with Continuous Opacity Monitoring System (COMS) data. The owner shall install, operate in accordance with manufacturer's instructions, and properly maintain, a COMS in the stack satisfying the criteria in Appendix B of 40 CFR part 60.

The owner shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar year quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

- (1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- (2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

period, and the cause and corrective action for each COMS downtime period;

(4) The total time in which the COMs were required to record data during the reporting period (NOTE: the COMs should be operated at all times when the boilers are in operation less the instances cited in Item #3 above, which should be kept to a minimum); and

(5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time which the COMS are required to record data.

Manufacturer Name/Model Number: Land, Model #4500

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60 APP B

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-21: Compliance Plan

Effective between the dates of 10/18/2005 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 1-21.1:

Compliance will be achieved according to the following schedule for the emission units, processes, sources or emission points specified in this permit:

Emission Unit: H-A0001

Consent Order: D2-0003-97

Progress Report Begin Date: 11/15/1997

Item 1-21.2:

Remedial Measure:

Schedule Date:

Con Edison signed Consent Order D2-0003-97. Con Edison shall comply with the Appendix A of the consent order which is attached to this permit.

Condition 49: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 227-1.2(a)(1)



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0001

Process: ROL

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 49.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The particulate limit for Boilers 71, 72, 81 and 82 is 0.10 lb particulate/MMBTU heat input. The boilers must be maintained and operated in accordance with manufacturer's recommendations to minimize emissions of particulate matter. Stack testing must be conducted every three years to demonstrate compliance with the particulate emission limit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2003.

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

Condition 59: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(c)

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005

Regulated Contaminant(s):

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of simple cycle combustion turbines shall utilize stack test Method 20 from 40 CFR Part 60, Appendix A, or another stack test method approved by the Department.

Owners or operators of simple cycle combustion turbines with a heat input rate of 250 mm Btu/hr or less shall perform a stack test, to determine the NO_x emission rate, once every three years.

Reference Test Method: Method 20

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2003.

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

Condition 61: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005

Process: GTD

Emission Source: GT003

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following every three years:

1) submit, to the Department, an acceptable protocol for



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

the testing of particulate emissions against the limit set forth in this condition; and

2) perform a stack test, based upon the approved protocol, to determine compliance with the particulate limit set forth in this condition.

All records generated pursuant to this condition must be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2003.

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

Condition 62: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005

Process: GTD

Emission Source: GT004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following every three years:

1) submit, to the Department, an acceptable protocol for the testing of particulate emissions against the limit set

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



forth in this condition; and

2) perform a stack test, based upon the approved protocol, to determine compliance with the particulate limit set forth in this condition.

All records generated pursuant to this condition must be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2003.

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

Condition 63: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005

Process: GTD Emission Source: GT005

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following every three years:

1) submit, to the Department, an acceptable protocol for the testing of particulate emissions against the limit set forth in this condition; and

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



2) perform a stack test, based upon the approved protocol, to determine compliance with the particulate limit set forth in this condition.

All records generated pursuant to this condition must be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2003.

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

Condition 64: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005 Emission Point: GT003

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 64.2:

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 combustion installation shall emit greater than 20 percent opacity (on a six minute block period) except for one six minute block period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Operators of air contamination sources that are not exempt



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then the Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 3/1/2003.

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

Condition 65: Compliance Certification

Effective between the dates of 08/13/2002 and 08/12/2007

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

Item 65.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005 Emission Point: GT004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 65.2:

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 combustion installation shall emit greater than 20 percent opacity (on a six minute block period) except for one six minute block period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



stack:

- weather condition
- was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then the Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 3/1/2003.

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

Condition 66: Compliance Certification
Effective between the dates of 08/13/2002 and 08/12/2007

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

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: H-A0005 Emission Point: GT005

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 66.2:

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 combustion installation shall emit greater than 20 percent opacity (on a six minute block period) except for one six minute block period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - weather condition
 - was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

- 3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then the Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two

New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042



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

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 3/1/2003.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 67: Contaminant List
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable State Requirement: ECL 19-0301

Item 67.1:

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 68: Unavoidable noncompliance and violations
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable State Requirement: 6NYCRR 201-1.4

Item 68.1:

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

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

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

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



New York State Department of Environmental Conservation

Permit ID: 2-6101-00042/00011

Facility DEC ID: 2610100042

(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 70: Air pollution prohibited
Effective between the dates of 08/13/2002 and 08/12/2007

Applicable State Requirement: 6NYCRR 211.2

Item 70.1:

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.