



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6101-00185/00008  
Mod 0 Effective Date: 01/04/2013 Expiration Date: 01/03/2018  
Mod 1 Effective Date: 03/16/2015 Expiration Date: 01/03/2018

Permit Issued To: BROOKLYN NAVY YARD COGENERATION PARTNERS  
63 FLUSHING AVE UNIT 234  
BROOKLYN, NY 11205-1074

Contact: CHRISTOPHER TRABOLD  
BROOKLYN NAVY YARD COGENERATION PARTNERS  
63 FLUSHING AVE, BLDG 41 UNIT #234  
BROOKLYN, NY 11205  
(718) 237-6755

Facility: BROOKLYN NAVY YARD COGENERATION PLANT  
63 FLUSHING AVE|BROOKLYN NAVY YARD, BLDG 41 UNIT #234  
BROOKLYN, NY 11205

Contact: CHRISTOPHER TRABOLD  
BROOKLYN NAVY YARD COGENERATION PARTNERS  
63 FLUSHING AVE, BLDG 41 UNIT #234  
BROOKLYN, NY 11205  
(718) 237-6755

Description:

This facility (**Brooklyn Navy Yard Cogeneration Plant**) is a 286-megawatt (MW) gas-fired power plant. The plant consists of two Siemens V84.2 gas turbines, each equipped with a Heat Recovery Steam Generator. Gas Turbine air inlet cooling technology may be installed and operated at the plant on each of the combustion turbines. In addition, two distillate oil-fired emergency generators are provided. The plant supplies electricity to Con Edison and the Navy Yard, and supplies steam to Con Edison, the Navy Yard, and the Red Hook Water Pollution Control Plant.

Original Renewal 2 Mod 0 Title V permit was issued on 1/4/2013 and would expire on 1/3/2018. This permit modification is for the installation of Siemens Si3D Thermal Performance Upgrade that improves plant thermal efficiency and reduces plant emissions on a per megawatt-hour basis. The changes do not impact the short-term and annual permit limits.



The sulfur content in the distillate and residual oils is regulated by 6 NYCRR Subpart 225-1 and the limits are 0.20% and 0.30% by weight, respectively. However, in order to minimize SO<sub>2</sub> emissions, the facility has chosen distillate oil to be used in the combustion turbines to have a maximum sulfur content of 0.04% by weight.

The facility-wide emissions for major air pollutants exceed the major source pollutant threshold and therefore is subject to the provisions of Title V specified under 6 NYCRR subpart 201-6. The facility is subject to the Title IV (Acid Rain Permit) provisions of 40 CFR Part 72, due to emissions of sulfur dioxide caused by activities of generating electricity.

Pursuant to the Phase II requirements of Title IV of the Clean Air Act Amendments of 1990 and 40 CFR Part 72.6(a)(3), the facility is required to apply for the Title IV (Phase II Acid Rain) permit in the Title V application. The facility has to comply with all compliance requirements of Acid Rain Rules (40 CFR Parts 72, Parts 73, Parts 75, Parts 77 and Parts 78).

The Department has previously approved an application for a Title IV Acid Rain Permit renewal to this previously approved facility as required by 40 CFR Part 72 for the applicant's Brooklyn Navy Yard Cogeneration Plant, located at 63 Flushing Avenue - Building 41 in Brooklyn, New York. The current Title IV permit was issued on 1/4/2013. Issuance of this permit will allow the Department to enforce the requirements of the Acid Rain Program. No emissions increase will result from permit issuance. Prior permits issued to this facility remain in force & include requirements for compliance with 6NYCRR Subpart 225-1 (Fuel Composition and Use-Sulfur Limitations) and 227-1 (Stationary Combustion Installations) and 227-2 (Reasonably Available Control Technology (RACT) for Oxides of Nitrogen. The applicant will be required to have sufficient SO<sub>2</sub> allowances in its possession to cover SO<sub>2</sub> emissions from this facility. The applicant shall submit annual compliance certification reports to the Department and the U.S. Environmental Protection Agency (USEPA). The applicant shall maintain and certify monitoring systems and/or methodologies for opacity, SO<sub>2</sub> emissions, NO<sub>x</sub> emissions, SO<sub>2</sub> removal (if applicable), CO<sub>2</sub> emissions and volumetric flow rates in accordance with the requirements of 40 CFR Part 75. In accordance with 6NYCRR Parts 621 & 201, the Administrator of the USEPA has the authority to bar issuance of this permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

**Nature of business at the facility:**

Electric Power Generation



4931 [primary SIC] - Electric & other services combined.

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  
   NYSDEC - REGION 2  
   47-40 21ST ST  
   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 compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

- Submission of application for permit modification or renewal -  
REGION 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, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by



the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (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: 2-6101-00185/00008

Facility DEC ID: 2610100185



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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: BROOKLYN NAVY YARD COGENERATION PARTNERS  
63 FLUSHING AVE UNIT 234  
BROOKLYN, NY 11205-1074

Facility: BROOKLYN NAVY YARD COGENERATION PLANT  
63 FLUSHING AVE|BROOKLYN NAVY YARD, BLDG 41 UNIT #234  
BROOKLYN, NY 11205

Authorized Activity By Standard Industrial Classification Code:  
4911 - ELECTRIC SERVICES  
4931 - ELEC & OTHER SERVICES COMBINED

Mod 0 Permit Effective Date: 01/04/2013

Permit Expiration Date: 01/03/2018

Mod 1 Permit Effective Date: 03/16/2015

Permit Expiration Date: 01/03/2018



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 1-1 6 NYCRR 201-6.4 (a) (7): Fees
- 1-2 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance  
Monitoring
- 1-3 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and  
Measurement
- 1-4 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 1-5 6 NYCRR 201-6.4 (e): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 1-6 6 NYCRR 201-1.7: Recycling and Salvage
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected  
Contaminants to the air
- 1-7 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 1-8 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 1-9 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 1-10 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 1-11 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 40 CFR Part 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6 NYCRR Subpart 201-6: Emission Unit Definition
- 23 6 NYCRR Subpart 201-6: Compliance Certification
- 24 6 NYCRR Subpart 201-6: Compliance Certification
- 25 6 NYCRR Subpart 201-6: Compliance Certification
- 26 6 NYCRR Subpart 201-6: Compliance Certification
- 27 6 NYCRR Subpart 201-6: Compliance Certification
- 28 6 NYCRR Subpart 201-6: Compliance Certification
- 29 6 NYCRR Subpart 201-6: Compliance Certification
- 1-12 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 30 6 NYCRR 201-6.5 (c) (3): Compliance Certification
- 31 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 32 6 NYCRR 211.1: Air pollution prohibited
- 33 6 NYCRR 225-1.2 (a) (1): Compliance Certification
- 34 6 NYCRR 225.7 (a): Compliance Certification
- 35 6 NYCRR 227-1.3 (a): Compliance Certification
- 36 6 NYCRR 231-2.2 (b): Compliance Certification
- 38 6 NYCRR 231-2.4: Compliance Certification
- 39 6 NYCRR 243-1.6 (a): Permit Requirements
- 40 6 NYCRR 243-1.6 (b): Monitoring requirements



- 41 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
  - 42 6 NYCRR 243-1.6 (d): Excess emission requirements
  - 43 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
  - 44 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
  - 45 6 NYCRR 243-2.4: Certificate of representation
  - 46 6 NYCRR 243-8.1: General requirements
  - 47 6 NYCRR 243-8.1: Prohibitions
  - 48 6 NYCRR 243-8.5 (d): Quarterly reports
  - 49 6 NYCRR 243-8.5 (e): Compliance certification
  - 50 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
  - 51 6 NYCRR Subpart 244-2: Designated CAIR Representative
  - 52 6 NYCRR Subpart 244-8: Compliance Certification
  - 53 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
  - 54 6 NYCRR Subpart 245-2: Designated CAIR Representative
  - 55 6 NYCRR Subpart 245-8: Compliance Certification
  - 56 40CFR 52.21(j), Subpart A: Compliance Certification
  - 57 40CFR 52.21(j), Subpart A: Compliance Certification
  - 58 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
  - 59 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
  - 60 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
  - 61 40CFR 60.8(d), NSPS Subpart A: Prior notice.
  - 62 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
  - 63 40CFR 60.12, NSPS Subpart A: Circumvention.
  - 64 40CFR 60.332(b), NSPS Subpart GG: Compliance Certification
  - 65 40CFR 60.334(h)(4), NSPS Subpart GG: Custom fuel monitoring schedule
  - 66 40 CFR Part 75: Compliance Certification
  - 67 40 CFR Part 75: Compliance Certification
- Emission Unit Level**
- 68 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
  - 69 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=U-00001**

- 70 6 NYCRR 231-2.2 (b): Compliance Certification
- 71 6 NYCRR 231-2.2 (b): Compliance Certification
- 72 6 NYCRR 231-2.2 (b): Compliance Certification

**EU=U-00001,EP=00001,Proc=01A**

- 73 6 NYCRR Subpart 201-6: Compliance Certification
- 74 6 NYCRR Subpart 201-6: Compliance Certification
- 75 6 NYCRR Subpart 201-6: Compliance Certification
- 76 6 NYCRR Subpart 201-6: Compliance Certification
- 77 6 NYCRR 231-2.2 (b): Compliance Certification
- 78 6 NYCRR 231-2.2 (b): Compliance Certification
- 79 6 NYCRR 231-2.2 (b): Compliance Certification
- 80 6 NYCRR 231-2.2 (b): Compliance Certification
- 81 40CFR 52.21(j), Subpart A: Compliance Certification
- 82 40CFR 52.21(j), Subpart A: Compliance Certification

**EU=U-00001,EP=00001,Proc=01B**

- 83 6 NYCRR Subpart 201-6: Compliance Certification



- 84 6 NYCRR Subpart 201-6: Compliance Certification
- 85 6 NYCRR Subpart 201-6: Compliance Certification
- 86 6 NYCRR Subpart 201-6: Compliance Certification
- 87 6 NYCRR 231-2.2 (b): Compliance Certification
- 88 6 NYCRR 231-2.2 (b): Compliance Certification
- 89 6 NYCRR 231-2.2 (b): Compliance Certification
- 90 6 NYCRR 231-2.2 (b): Compliance Certification
- 91 40CFR 52.21(j), Subpart A: Compliance Certification
- 92 40CFR 52.21(j), Subpart A: Compliance Certification

**EU=U-00002**

- 93 6 NYCRR 231-2.2 (b): Compliance Certification
- 94 6 NYCRR 231-2.2 (b): Compliance Certification
- 95 6 NYCRR 231-2.2 (b): Compliance Certification

**EU=U-00002,EP=00002,Proc=02A**

- 96 6 NYCRR Subpart 201-6: Compliance Certification
- 97 6 NYCRR Subpart 201-6: Compliance Certification
- 98 6 NYCRR Subpart 201-6: Compliance Certification
- 99 6 NYCRR Subpart 201-6: Compliance Certification
- 100 6 NYCRR 231-2.2 (b): Compliance Certification
- 101 6 NYCRR 231-2.2 (b): Compliance Certification
- 102 6 NYCRR 231-2.2 (b): Compliance Certification
- 103 6 NYCRR 231-2.2 (b): Compliance Certification
- 104 40CFR 52.21(j), Subpart A: Compliance Certification
- 105 40CFR 52.21(j), Subpart A: Compliance Certification

**EU=U-00002,EP=00002,Proc=02B**

- 106 6 NYCRR Subpart 201-6: Compliance Certification
- 107 6 NYCRR Subpart 201-6: Compliance Certification
- 108 6 NYCRR Subpart 201-6: Compliance Certification
- 109 6 NYCRR Subpart 201-6: Compliance Certification
- 110 6 NYCRR 231-2.2 (b): Compliance Certification
- 111 6 NYCRR 231-2.2 (b): Compliance Certification
- 112 6 NYCRR 231-2.2 (b): Compliance Certification
- 113 6 NYCRR 231-2.2 (b): Compliance Certification
- 114 40CFR 52.21(j), Subpart A: Compliance Certification
- 115 40CFR 52.21(j), Subpart A: Compliance Certification

**EU=U-00003**

- 116 6 NYCRR 231-2.2 (b): Compliance Certification

**EU=U-00003,EP=00003,Proc=03A**

- 117 6 NYCRR Subpart 201-6: Compliance Certification
- 118 6 NYCRR Subpart 201-6: Compliance Certification
- 119 6 NYCRR 231-2.2 (b): Compliance Certification
- 120 6 NYCRR 231-2.2 (b): Compliance Certification
- 121 6 NYCRR 231-2.2 (b): Compliance Certification
- 122 6 NYCRR 231-2.2 (b): Compliance Certification
- 123 40CFR 52.21(j), Subpart A: Compliance Certification
- 124 40CFR 52.21(j), Subpart A: Compliance Certification



**EU=U-00004**

125 6 NYCRR 231-2.2 (b): Compliance Certification

**EU=U-00004,EP=00004,Proc=04A**

- 126 6 NYCRR Subpart 201-6: Compliance Certification
- 127 6 NYCRR Subpart 201-6: Compliance Certification
- 128 6 NYCRR 231-2.2 (b): Compliance Certification
- 129 6 NYCRR 231-2.2 (b): Compliance Certification
- 130 6 NYCRR 231-2.2 (b): Compliance Certification
- 131 6 NYCRR 231-2.2 (b): Compliance Certification
- 132 40CFR 52.21(j), Subpart A: Compliance Certification
- 133 40CFR 52.21(j), Subpart A: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 134 ECL 19-0301: Contaminant List
- 1-13 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 135 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 136 6 NYCRR 237-1.6 (c): Compliance Demonstration
- 137 6 NYCRR 237-1.6 (e): Recordkeeping and Reporting Requirements
- 138 6 NYCRR 237-1.6 (f): Liability- facility no common stacks
- 139 6 NYCRR 237-1.6 (g): Effect on other Authorities
- 140 6 NYCRR 237-4.1: Compliance Demonstration
- 141 6 NYCRR 237-7.1: Submission of NOx allowance transfers
- 142 6 NYCRR Subpart 237-8: Compliance Demonstration
- 143 6 NYCRR 238-1.6 (a): Permit requirements to be included in new permits or units only
- 144 6 NYCRR 238-1.6 (c): Compliance Demonstration
- 145 6 NYCRR 238-1.6 (e): Compliance Demonstration
- 146 6 NYCRR 238-1.6 (f): Liability
- 147 6 NYCRR 238-1.6 (g): Effect on Other Authorities
- 148 6 NYCRR 238-2.1: Submissions to the Department
- 149 6 NYCRR 238-4.1: Compliance Demonstration
- 150 6 NYCRR 238-7.1: Submission of SO2 allowance transfers
- 151 6 NYCRR Subpart 238-8: Compliance Demonstration
- 152 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
- 153 6 NYCRR 242-1.5: Compliance Demonstration
- 154 6 NYCRR 242-1.5: Compliance Demonstration



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

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

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

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner 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 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 or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

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

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



**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**

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

**Item D: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**

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

**Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**

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

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**

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

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**

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

**Item H: Property Rights - 6 NYCRR 201-6.4 (a) (6)**

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



**Item I: Severability - 6 NYCRR 201-6.4 (a) (9)**

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

**Item J: Permit Shield - 6 NYCRR 201-6.4 (g)**

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

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

**Item K: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

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



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

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

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

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

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

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

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

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



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

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

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 200.6**

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

**Condition 1-1: Fees**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 1-1.1:**  
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 1-2: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**



**Item 1-2.1:**

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 201-6.2 of Part 201.

**Condition 1-3: Records of Monitoring, Sampling, and Measurement  
Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (2)**

**Item 1-3.1:**

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

**Condition 1-4: Compliance Certification  
Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)**

**Item 1-4.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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

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

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

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



Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent 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) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2015.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-5: Compliance Certification**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)**

**Item 1-5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping 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.

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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 annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent 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) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section  
USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101-5407

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2014.  
Subsequent reports are due on the same day each year

**Condition 6: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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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 BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2014.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April  
15th each year for emissions of the previous calendar  
year.

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

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 8.1:**



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

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

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

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 215.2**

**Item 9.1:**

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

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure



per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.  
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.  
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

**Condition 10: Maintenance of Equipment**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 1-6: Recycling and Salvage**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 1-6.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 11: Recycling and Salvage**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

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



**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 12.1:**

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

**Condition 1-7: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 03/16/2015 and 01/03/2018**

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

**Item 1-7.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 13.1:**

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

**Condition 1-8: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 03/16/2015 and 01/03/2018**

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

**Item 1-8.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 01/04/2013 and 01/03/2018**



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

**Item 14.1:**

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

**Condition 1-9: Requirement to Provide Information**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**

**Item 1-9.1:**

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 1-10: Right to Inspect**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 1-10.1:**

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 1-11: Off Permit Changes**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)**

**Item 1-11.1:**

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 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 19.1:**

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

**Condition 20: Accidental release provisions.**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 20.1:**

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 21: Recycling and Emissions Reduction**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 21.1:**

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

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

**Condition 22: Emission Unit Definition**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 22.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Unit Description:

Siemens V84.2 combustion turbine equipped with HR3 dry low-NOx burner, Si3D thermal performance upgrade, gas turbine air inlet cooling, selective catalytic reduction, and a heat recovery steam generator(HRSG).

Building(s): B41

**Item 22.2(From Mod 1):**

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

Emission Unit: U-00002

Emission Unit Description:

Siemens V84.2 combustion turbine equipped with HR3 dry low-NOx burner, Si3D thermal performance upgrade, gas turbine air inlet cooling, selective catalytic reduction,

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and a heat recovery steam generator(HRSG).

Building(s): B41

**Item 22.3(From Mod 1):**

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

Emission Unit: U-00003

Emission Unit Description:

EMERGENCY GENERATOR NUMBER 1.

Building(s): B41

**Item 22.4(From Mod 1):**

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

Emission Unit: U-00004

Emission Unit Description:

EMERGENCY GENERATOR NUMBER 2.

Building(s): B41

**Condition 23: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 23.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Emission Unit: U-00002

Regulated Contaminant(s):

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

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The emission limit of 800 pounds for total NOx emissions per start up period not exceeding three hours applies to combustion turbines (CT). The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at facility for a period of at least five years.

Manufacturer Name/Model Number: Siemens

Upper Permit Limit: 800 pounds

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS



Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2013.  
Subsequent reports are due every 3 calendar month(s).

**Condition 24: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 24.1:**

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

Emission Unit: U-00001

Emission Unit: U-00002

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

**Item 24.2:**

Compliance Certification shall include the following monitoring:

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

The emission limit of 120 pounds for total CO emissions per shut down event not exceeding three hours applies to combustion turbines (CT). The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at facility for a period of at least five years.

Manufacturer Name/Model Number: Siemens  
Upper Permit Limit: 120 pounds  
Reference Test Method: 40 CFR Part 75  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 25: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 25.1:**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



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

Emission Unit: U-00001

Emission Unit: U-00002

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

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The emission limit of 300 pounds for total NOx emissions per shut down event not exceeding three hours applies to combustion turbines (CT). The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at facility for a period of at least five years.

Manufacturer Name/Model Number: Siemens

Upper Permit Limit: 300 pounds

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 26: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 26.1:**

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

Emission Unit: U-00001

Emission Unit: U-00002

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

**Item 26.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The emission limit of 200 pounds for total CO emissions per start up period not exceeding three hours applies to combustion turbines (CT). The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at facility for a period of at least five years.

Manufacturer Name/Model Number: Siemens

Upper Permit Limit: 200 pounds

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 27: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The gas turbines should only fire natural gas or distillate oil (distillate oil shall be defined as: #1 distillate, #2 distillate, kerosene, Jet A fuel, or Biofuels).

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 28: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each gas turbine may operate between 50% and 100% load separately or simultaneously, except during periods of start-up and shutdown.

70% load corresponds to 76.9 MW (gas firing, 30 degrees F) per turbine.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 29: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 29.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Emission Unit: U-00002

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The gas turbines are permitted to burn bio-gas from the Red Hook Water Treatment Plant in conjunction with natural gas. The facility should have a line mounted gas meter to measure bio-gas usage. This positive displacement meter should be sealed in place and will measure fuel continuously.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: OTHER GASEOUS FUELS

Upper Permit Limit: 100 million cubic feet per year

Monitoring Frequency: CONTINUOUS

Averaging Method: 24-HR ROLLING AVG., CALCULATED EA. HR  
AS THE AVG OF THE PAST 24 OPERATING  
HRS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-12: Progress Reports Due Semiannually**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**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 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 30: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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.

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



from these requirements.

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 31: Non Applicable requirements**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 31.1:**

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

**Condition 32: Air pollution prohibited**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 32.1:**

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



**Condition 33: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sulfur content of liquid fuel burned at the facility will not exceed 0.04 percent by weight. This practice will also show compliance with 40 CFR 60 GG 60.333(b). The fuel type includes Kerosene, Jet A and Biofuels.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.04 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 34: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 225.7 (a)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The 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: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 35: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the two business days of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition,

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it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 36: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 231-2.2 (b)**

**Item 36.1:**

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

Emission Unit: U-00001

Emission Unit: U-00002

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Total annual distillate oil (including Kerosene, Jet A and Biofuels) use for both turbines & generators will not exceed the following (based on a daily rolling basis):

Siemens V84.2:  $10.66 \times 10^6$  gal/yr.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Upper Permit Limit: 10.66 million gallons per year  
Monitoring Frequency: DAILY  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 38: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**



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

**Item 38.1:**

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

Emission Unit: U-00001

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):

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

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The total facility-wide annual NO<sub>x</sub> emissions from Brooklyn Navy Yard Cogen Plant is capped to 145.77 tpy rolled daily. The emissions shall be calculated by using CEMS data for turbines and most recent stack test results for emergency generators.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 39: Permit Requirements**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 39.1:**

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

(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and

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

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

**Condition 40: Monitoring requirements**



**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 40.1:**

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

**Condition 41: NOx Ozone Season Emission Requirements**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 41.1:**

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

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

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

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

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

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

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

**Condition 42: Excess emission requirements**



**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 42.1:**

If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

- (1) the owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and
- (2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

**Condition 43: Recordkeeping and reporting requirements**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 43.1:**

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

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

**Condition 44: Authorization and responsibilities of CAIR designated representative**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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



**Item 44.1:**

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

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

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NO<sub>x</sub> Ozone Season source represented and each CAIR NO<sub>x</sub> Ozone Season unit at the source in all matters pertaining to the CAIR NO<sub>x</sub> Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

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

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

**Condition 45: Certificate of representation**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 45.1:**

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



**Condition 46: General requirements**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 46.1:**

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

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

- (1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph 243-8.1(a)(1); and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 47: Prohibitions**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 47.1:**

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

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

No owner or operator of a CAIR NOx Ozone Season unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere or

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heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

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

- (i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
- (ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
- (iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

**Condition 48: Quarterly reports**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 48.1:**

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

If the CAIR NO<sub>x</sub> Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NO<sub>x</sub> emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NO<sub>x</sub> mass emissions) for such unit for the entire year and shall report the NO<sub>x</sub> mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

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

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

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



data, and other information required by this Subpart.

**Condition 49: Compliance certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 49.1:**

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

- (1) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications;
- (2) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions; and
- (3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO<sub>x</sub> emission rate and NO<sub>x</sub> concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO<sub>x</sub> emissions.

**Condition 50: CAIR NO<sub>x</sub> Annual Trading Program General Conditions**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 50.1:**

- 1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NO<sub>x</sub> allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO<sub>x</sub> units at the source during that control period. A CAIR NO<sub>x</sub> allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]
- 2) The owners and operators shall hold in their compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NO<sub>x</sub> unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]
- 3) If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the CAIR NO<sub>x</sub> source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same



violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d))]

4) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.

**Condition 51: Designated CAIR Representative**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 51.1:**

1) Each Clean Air Interstate Rule (CAIR) NO<sub>x</sub> source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NO<sub>x</sub> Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NO<sub>x</sub> source represented in all matters pertaining to the CAIR NO<sub>x</sub> Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

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



and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

**Condition 52: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

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

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

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

(4) For CAIR NOx units that are also subject to an Acid Rain emissions limitation or the CAIR NOx Ozone Season Trading Program, CAIR SO2 Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam



Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

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

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

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

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

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO<sub>x</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40



CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2013.  
Subsequent reports are due every 3 calendar month(s).

**Condition 53: CAIR SO2 Trading Program General Provisions  
Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 53.1:**

- 1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source. A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO2 allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]
- 2) The owners and operators shall hold in their compliance account, CAIR SO2 allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO2 unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]
- 3) If a CAIR SO2 source emits sulfur dioxide during any control period in excess of the CAIR SO2 emissions limitation, the owners and operators of the source shall surrender the CAIR SO2 allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]
- 4) Unless otherwise provided, the owners and operators of the CAIR SO2 source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]



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

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

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

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

**Condition 54: Designated CAIR Representative**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 54.1:**

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

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

**Condition 55: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**



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

**Item 55.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

3) The owner or operator shall meet the monitoring system



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

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

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

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

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

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



[245-8.5(a)]

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

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

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

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

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

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

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those

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persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [245-8.5(e)]

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

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2013.  
Subsequent reports are due every 3 calendar month(s).

**Condition 56: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 56.1:**  
The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: U-00001

Emission Unit: U-00002

**Item 56.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:  
Total distillate oil use in the gas turbines is limited on a 180-day rolling basis, to no more than 96 hours during the period of May 1st through October 31st of each year.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Upper Permit Limit: 96 hours  
Monitoring Frequency: DAILY  
Averaging Method: SEMIANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 57: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 57.1:**

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

Emission Unit: U-00003  
Process: 03A Emission Source: 00031

Emission Unit: U-00004  
Process: 04A Emission Source: 00041

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Distillate oil use (including Kerosene, Jet A and  
Biofuels) in each emergency generator is limited to 500  
full load equivalent operating hours per year, including  
routine testing, calculated on a daily rolling basis.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Upper Permit Limit: 32400 gallons per year  
Monitoring Frequency: DAILY  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 58: Recordkeeping requirements.**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 58.1:**

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

**Condition 59: Facility files for subject sources.**



Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 59.1:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 60: Performance test methods.**

Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 60.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

**Condition 61: Prior notice.**

Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 61.1:**

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

**Condition 62: Opacity standard compliance testing.**

Effective between the dates of 01/04/2013 and 01/03/2018

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

**Item 62.1:**

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

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

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

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

**Condition 63: Circumvention.**

Effective between the dates of 01/04/2013 and 01/03/2018



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

**Item 63.1:**

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

**Condition 64: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 60.332(b), NSPS Subpart GG**

**Item 64.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No owner or operator shall discharge to the atmosphere from a stationary gas turbine, emissions of nitrogen oxides in excess of the following:

$$\text{STD} = 0.0075 * [(14.4) / Y] + F$$

Where: STD = allowable nitrogen oxide emissions in percent volume at 15% excess oxygen on a dry basis,

Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour) or the actual measured heat rate based on the lower heating value of the fuel as measured at actual peak load of the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour,

F = nitrogen oxide emission allowance for fuel bound nitrogen:

Fuel bound nitrogen % by weight, where F equals NOx % by volume

$$N \leq 0.015 : F = 0$$

$$0.015 < N \leq 0.1 : 0.04(N)$$

$$0.1 < N \leq 0.25 : 0.004 + 0.0067(N - 0.1)$$

$$N > 0.25 : 0.005$$

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 65: Custom fuel monitoring schedule**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 60.334(h)(4), NSPS Subpart GG**

**Item 65.1:**

For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and for which a custom fuel monitoring schedule has previously been approved, the owner or operator may, without submitting a special petition to the Administrator, continue monitoring on this schedule

**Condition 66: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40 CFR Part 75**

**Item 66.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 66.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

CEM. BNYCP should calibrate, maintain, and operate the Continuous Emission Monitoring (CEM) and recording system to measure NOx, CO, and O2 in the gas turbine exhaust stack.

These systems should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

-a summary of excess emissions and CEMs downtime;  
-the result of the quarterly monitoring performance audit;

-excess emission should be identified as any one-hour block period during which the average emissions of NOx or CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.



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

**Condition 67: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable Federal Requirement:40 CFR Part 75**

**Item 67.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 67.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

BNYCP should maintain a file of all measurements, including CEM system performance evaluations; all CEM systems or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR Part 75 recorded in a permanent form suitable for inspection. The file should be retained for at least five years following the date of such measurement, maintenance, reports, and records.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

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

**Condition 68: Emission Point Definition By Emission Unit**  
Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 68.1(From Mod 0):**

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 310

Diameter (in.): 204

NYTMN (km.): 4505.923 NYTME (km.): 586.533 Building: B41

**Item 68.2(From Mod 0):**

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



Emission Unit: U-00002

Emission Point: 00002  
Height (ft.): 310 Diameter (in.): 204  
NYTMN (km.): 4505.923 NYTME (km.): 586.533 Building: B41

**Item 68.3(From Mod 0):**

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

Emission Unit: U-00003

Emission Point: 00003  
Height (ft.): 135 Diameter (in.): 14  
NYTMN (km.): 4505.923 NYTME (km.): 586.533 Building: B41

**Item 68.4(From Mod 0):**

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

Emission Unit: U-00004

Emission Point: 00004  
Height (ft.): 135 Diameter (in.): 14  
NYTMN (km.): 4505.923 NYTME (km.): 586.533 Building: B-41

**Condition 69: Process Definition By Emission Unit**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 69.1(From Mod 1):**

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

Emission Unit: U-00001  
Process: 01A Source Classification Code: 2-02-001-01

Process Description:  
COMBUSTION OF DISTILLATE OIL DURING LOAD  
OPERATIONS BETWEEN 50% TO 100% LOAD.

Emission Source/Control: 00011 - Combustion  
Design Capacity: 1,503 million Btu per hour

Emission Source/Control: 00012 - Control  
Control Type: DRY LOW NOx BURNER

Emission Source/Control: 00013 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 69.2(From Mod 1):**

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

Emission Unit: U-00001



Process: 01B Source Classification Code: 2-02-002-01  
Process Description:  
COMBUSTION OF NATURAL GAS DURING LOAD  
OPERATIONS BETWEEN 50% TO 100% LOAD.

Emission Source/Control: 00011 - Combustion  
Design Capacity: 1,503 million Btu per hour

Emission Source/Control: 00012 - Control  
Control Type: DRY LOW NO<sub>x</sub> BURNER

Emission Source/Control: 00013 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 69.3(From Mod 1):**

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

Emission Unit: U-00002  
Process: 02A Source Classification Code: 2-02-001-01  
Process Description:  
COMBUSTION OF DISTILLATE OIL, KEROSENE,  
JET A FUEL, BIOFUELS DURING LOAD OPERATIONS  
BETWEEN 50% TO 100% LOAD.

Emission Source/Control: 00021 - Combustion  
Design Capacity: 1,503 million Btu per hour

Emission Source/Control: 00022 - Control  
Control Type: DRY LOW NO<sub>x</sub> BURNER

Emission Source/Control: 00023 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 69.4(From Mod 1):**

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

Emission Unit: U-00003  
Process: 03A Source Classification Code: 2-02-001-04  
Process Description: COMBUSTION OF DISTILLATE FUEL OIL.

Emission Source/Control: 00031 - Combustion  
Design Capacity: 2,010 horsepower (mechanical)

**Item 69.5(From Mod 1):**

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

Emission Unit: U-00004  
Process: 04A Source Classification Code: 2-02-001-04  
Process Description:  
COMBUSTION OF DISTILLATE FUEL OIL,  
KEROSENE, JET A FUEL, BIOFUELS .

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Emission Source/Control: 00041 - Combustion  
Design Capacity: 2,010 horsepower (mechanical)

**Item 69.6(From Mod 0):**

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

Emission Unit: U-00002  
Process: 02B Source Classification Code: 2-02-002-01  
Process Description:  
COMBUSTION OF NATURAL GAS DURING LOAD  
OPERATIONS BETWEEN 50% TO 100% LOAD.

Emission Source/Control: 00021 - Combustion  
Design Capacity: 1,503 million Btu per hour

Emission Source/Control: 00022 - Control  
Control Type: DRY LOW NO<sub>x</sub> BURNER

Emission Source/Control: 00023 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Condition 70: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The two turbines combined total of full load hours of operation shall be limited to 17,082 hours. The facility shall maintain a daily written log of hours of operation of each turbine.

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 71: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

BNYCP will continuously measure and record ambient air temperature at the facility. Such measurements will be accurate within +/- 1 deg F.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 72: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each turbine shall not exceed 121 MW when firing distillate oil or gas. The turbines will fire only natural gas or distillate oil. (Distillate oil is defined as: #1 distillate, #2 distillate, kerosene, Jet A fuel, or Biofuels).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 73: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



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

**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001                      Emission Point: 00001  
Process: 01A

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

**Item 73.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50%  
to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: AMMONIA

Upper Permit Limit: 10.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 74:      Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 74.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001                      Emission Point: 00001  
Process: 01A

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

**Item 74.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50%  
to 100% load.



Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: AMMONIA  
Upper Permit Limit: 32.0 pounds per hour  
Reference Test Method: CFR Part 60 Method  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 75: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01A

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

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: CARBON MONOXIDE

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Upper Permit Limit: 18.0 pounds per hour  
Reference Test Method: CFR Part 75  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2013.  
Subsequent reports are due every 3 calendar month(s).

**Condition 76: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001                      Emission Point: 00001  
Process: 01A

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

**Item 76.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 5.0 parts per million by volume  
(dry, corrected to 15% O2)

Reference Test Method: CFR Part 75



Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2013.  
Subsequent reports are due every 3 calendar month(s).

**Condition 77: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 77.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01A

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

**Item 77.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
Emission limit during Oil Firing at 30 degrees F and 50%  
to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: VOC  
Upper Permit Limit: 0.007 pounds per million Btus  
Reference Test Method: CFR Part 60 Method  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 78: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01A

Regulated Contaminant(s):



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

**Item 78.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NOx in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NOx, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 10.0 parts per million by volume  
(dry, corrected to 15% O2)

Reference Test Method: CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 79: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 79.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: 01A

Emission Point: 00001

Regulated Contaminant(s):

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 79.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NOx in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NOx, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 58.0 pounds per hour

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 80: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 80.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Emission Point: 00001

Process: 01A

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 80.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 10.0 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 81: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 81.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Emission Point: 00001

Process: 01A

Regulated Contaminant(s):

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

**Item 81.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: PM-10

Upper Permit Limit: 13.5 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 82: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**



**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 82.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01A

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

**Item 82.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50%  
to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: PM-10

Upper Permit Limit: 0.020 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 83: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 83.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01B

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

**Item 83.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30  
degrees F and 50% to 100% load.

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 11.0 pounds per hour  
Reference Test Method: CFR Part 75 Method  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2013.  
Subsequent reports are due every 3 calendar month(s).

**Condition 84: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 84.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001                      Emission Point: 00001  
Process: 01B

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

**Item 84.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load  
during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: AMMONIA  
Upper Permit Limit: 10.0 parts per million (by volume)

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Reference Test Method: CFR Part 60 Method  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 85: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 85.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001                      Emission Point: 00001  
Process: 01B

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

**Item 85.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load  
during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: AMMONIA

Upper Permit Limit: 32.0 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 86: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 86.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001                      Emission Point: 00001  
Process: 01B



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

**Item 86.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 4.0 parts per million by volume  
(dry, corrected to 15% O2)

Reference Test Method: CFR Part 75 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 87: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 87.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01B

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 87.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 2.6 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 88: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 231-2.2 (b)**

**Item 88.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Emission Point: 00001

Process: 01B

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 88.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 0.002 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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



**Condition 89: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable Federal Requirement: 6 NYCRR 231-2.2 (b)**

**Item 89.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01B

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

**Item 89.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NO<sub>x</sub> in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NO<sub>x</sub>, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 16.0 pounds per hour

Reference Test Method: CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 90: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018



**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 90.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01B

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

**Item 90.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NO<sub>x</sub> in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NO<sub>x</sub>, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 3.5 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: CFR Part75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 91: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**



**Item 91.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01B

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

**Item 91.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load. Emission testing to be performed upon request by NYSDEC.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: PM-10

Upper Permit Limit: 5.1 pounds per hour

Reference Test Method: CFR Part 60 Method

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 7/30/2013.

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

**Condition 92: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 92.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001  
Process: 01B

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

**Item 92.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load. Emission testing to be performed upon request by NYSDEC.

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: PM-10  
Upper Permit Limit: 0.004 pounds per million Btus  
Reference Test Method: CFR Part 60 Method  
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 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 93: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 93.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

**Item 93.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

EACH TURBINE SHALL NOT EXCEED 121 MW  
WHEN FIRING DISTILLATE OIL OR GAS. THE  
TURBINES WILL FIRE ONLY NATURAL GAS OR  
DISTILLATE OIL. (DISTILLATE OIL IS  
DEFINED AS: #1 DISTILLATE, #2 DISTILLATE,  
KEROSENE, JET A FUEL OR BIOFUELS.)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 94: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 94.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 94.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The two turbines combined total of full load hours of operation shall be limited to 17,082 hours. The facility shall maintain a daily written log of hours of operation of each turbine.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 95: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 95.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

**Item 95.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

BNYCP WILL CONTINUOUSLY MEASURE AND RECORD AMBIENT AIR TEMPERATURE AT THE FACILITY. SUCH MEASUREMENTS WILL BE ACCURATE WITHIN +/- 1 DEG F.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 96: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 96.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Emission Point: 00002

Process: 02A

New York State Department of Environmental Conservation

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



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

**Item 96.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission Limit during Oil Firing at 30 degrees F and 50% to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 18.0 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 97: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 97.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002  
Process: 02A

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

**Item 97.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: CARBON MONOXIDE

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

Reference Test Method: CFR Part 75 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 98: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 98.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Emission Point: 00002

Process: 02A

Regulated Contaminant(s):

CAS No: 007664-41-7

AMMONIA

**Item 98.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: AMMONIA

Upper Permit Limit: 32.0 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.



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

**Condition 99: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 99.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002  
Process: 02A

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

**Item 99.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50%  
to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: AMMONIA

Upper Permit Limit: 10.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 100: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 100.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002  
Process: 02A

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

**Item 100.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 0.007 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 101: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 101.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Emission Point: 00002

Process: 02A

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 101.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 10.0 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 102: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**



**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 102.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002                      Emission Point: 00002  
Process: 02A

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

**Item 102.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NO<sub>x</sub> in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NO<sub>x</sub>, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 58.0 pounds per hour

Reference Test Method: CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 103: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**



**Item 103.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002                      Emission Point: 00002  
Process: 02A

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

**Item 103.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NO<sub>x</sub> in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NO<sub>x</sub>, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 10.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 104: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 104.1:**

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation  
Permit ID: 2-6101-00185/00008 Facility DEC ID: 2610100185



Emission Unit: U-00002 Emission Point: 00002  
Process: 02A

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

**Item 104.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load. Emission testing to be performed upon request by NYSDEC.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: PM-10

Upper Permit Limit: 13.5 pounds per hour

Reference Test Method: CFR Part 60 Method

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 7/30/2013.

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

**Condition 105: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 105.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002  
Process: 02A

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

**Item 105.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing at 30 degrees F and 50% to 100% load. Emission testing to be performed upon request by NYSDEC.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



Parameter Monitored: PM-10

Upper Permit Limit: 0.020 pounds per million Btus

Reference Test Method: CFR Part 60 Method

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 7/30/2013.

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

**Condition 106: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 106.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Emission Point: 00002

Process: 02B

Regulated Contaminant(s):

CAS No: 007664-41-7

AMMONIA

**Item 106.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: AMMONIA

Upper Permit Limit: 10.0 parts per million by volume

(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 107: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 107.1:**

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Emission Unit: U-00002  
Process: 02B

Emission Point: 00002

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

**Item 107.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 11.0 pounds per hour

Reference Test Method: CFR Part 75 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 108: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 108.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002  
Process: 02B

Emission Point: 00002



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

**Item 108.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure CO in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: CARBON MONOXIDE

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

Reference Test Method: CFR Part 75 Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 109: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 109.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002  
Process: 02B

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 109.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: AMMONIA

Upper Permit Limit: 32.0 pounds per hour

Reference Test Method: CFR Part 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 110: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 231-2.2 (b)**

**Item 110.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Emission Point: 00002

Process: 02B

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 110.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 2.6 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Condition 111: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 231-2.2 (b)**

**Item 111.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002                      Emission Point: 00002  
Process: 02B

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

**Item 111.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NO<sub>x</sub> in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NO<sub>x</sub>, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 3.5 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 112: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**



**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 112.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002  
Process: 02B

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

**Item 112.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load.

BNYCP should calibrate, maintain, and operate a Continuous Emission Monitoring (CEM) and recording system to measure NO<sub>x</sub> in the gas turbine exhaust stack which should meet the requirements of 40 CFR 75.

BNYCP should submit a quarterly written CEM report to NYSDEC for every calendar year quarter, which should include:

- a summary of excess emissions and CEMs downtime;
- the result of the quarterly monitoring performance audit;
- excess emission should be identified as any one-hour block period during which the average emissions of NO<sub>x</sub>, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 16.0 pounds per hour

Reference Test Method: CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2013.

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

**Condition 113: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 113.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002                      Emission Point: 00002

Process: 02B

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 113.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit at 30 degrees F and 50% to 100% load  
during Natural Gas or Bio-Gas firing.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine

Parameter Monitored: VOC

Upper Permit Limit: 0.002 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 114: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 114.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002                      Emission Point: 00002

Process: 02B

Regulated Contaminant(s):

CAS No: 0NY075-00-5      PM-10

**Item 114.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30  
degrees F and 50% to 100% load. Emission testing to be  
performed upon request by NYSDEC.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: PM-10  
Upper Permit Limit: 5.1 pounds per hour  
Reference Test Method: CFR Part 60 Method  
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 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 115: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 115.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00002                      Emission Point: 00002  
Process: 02B

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

**Item 115.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Natural Gas or Bio-Gas Firing at 30 degrees F and 50% to 100% load. Emission testing to be performed upon request by NYSDEC.

Manufacturer Name/Model Number: Siemens V84.2 Gas Turbine  
Parameter Monitored: PM-10  
Upper Permit Limit: 0.004 pounds per million Btus  
Reference Test Method: CFR Part 60 Method  
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 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 116: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 116.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

**Item 116.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE EMERGENCY GENERATORS WILL ONLY FIRE DISTILLATE OIL AND WILL NOT OPERATE IN CONJUNCTION WITH ONE OR MORE COMBUSTION TURBINES EXCEPT DURING PERIODS OF LIMITED TESTING.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 117: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 117.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Emission Point: 00003

Process: 03A

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

**Item 117.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 1.92 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 118: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 118.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003                      Emission Point: 00003  
Process: 03A

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

**Item 118.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.13 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 119: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 119.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003                      Emission Point: 00003  
Process: 03A

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

**Item 119.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 32.1 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 120: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 120.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Emission Point: 00003

Process: 03A

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 120.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: VOC

Upper Permit Limit: 0.032 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 121: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 121.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003                      Emission Point: 00003  
Process: 03A

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

**Item 121.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: VOC

Upper Permit Limit: 0.48 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 122: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 122.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003                      Emission Point: 00003  
Process: 03A

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

**Item 122.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 2.2 pounds per million Btus

Reference Test Method: CFR Part 60 Method

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 123: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 123.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003                      Emission Point: 00003  
Process: 03A

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

**Item 123.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: PM-10

Upper Permit Limit: 0.48 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 124: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 124.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003                      Emission Point: 00003  
Process: 03A

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 124.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: PM-10

Upper Permit Limit: 0.032 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 125: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 125.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004

**Item 125.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE EMERGENCY GENERATORS WILL ONLY FIRE  
DISTILLATE OIL AND WILL NOT OPERATE IN  
CONJUNCTION WITH ONE OR MORE COMBUSTION  
TURBINES EXCEPT DURING LIMITED TESTING  
PERIODS.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 126: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



**Item 126.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004                      Emission Point: 00004  
Process: 04A

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

**Item 126.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 1.92 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 127: Compliance Certification**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 127.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004                      Emission Point: 00004  
Process: 04A

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

**Item 127.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.13 pounds per million Btus

Reference Test Method: CFR Part 60 Method

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 128: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 128.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004                      Emission Point: 00004  
Process: 04A

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

**Item 128.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: VOC

Upper Permit Limit: 0.032 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 129: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 129.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004                      Emission Point: 00004  
Process: 04A

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Item 129.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing. Emission testing to be performed upon request by NYSDEC.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 32.1 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 130: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement: 6 NYCRR 231-2.2 (b)**

**Item 130.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004

Emission Point: 00004

Process: 04A

Regulated Contaminant(s):

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

**Item 130.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 2.2 pounds per million Btus

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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



**Condition 131: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable Federal Requirement:6 NYCRR 231-2.2 (b)**

**Item 131.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004  
Process: 04A

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

**Item 131.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator

Parameter Monitored: VOC

Upper Permit Limit: 0.48 pounds per hour

Reference Test Method: CFR Part 60 Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 132: Compliance Certification**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 132.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004  
Process: 04A

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

**Item 132.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emission limit during Oil Firing.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6101-00185/00008**

**Facility DEC ID: 2610100185**



Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator  
Parameter Monitored: PM-10  
Upper Permit Limit: 0.48 pounds per hour  
Reference Test Method: CFR Part 60 Method  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
Subsequent reports are due every 6 calendar month(s).

**Condition 133: Compliance Certification**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 133.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004                      Emission Point: 00004  
Process: 04A

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

**Item 133.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:  
Emission limit during Oil Firing.

Manufacturer Name/Model Number: 1500 KW Oil Firing Emergency Generator  
Parameter Monitored: PM-10  
Upper Permit Limit: 0.032 pounds per million Btus  
Reference Test Method: CFR Part 60 Method  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2013.  
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 134: Contaminant List**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 134.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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



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

CAS No: 007664-41-7  
Name: AMMONIA

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

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

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

**Condition 1-13: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 03/16/2015 and 01/03/2018**

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

**Item 1-13.1:**

- (a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.
- (b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.
- (c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.
- (d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.
- (e) A violation of any applicable emission standard resulting from start-up, shutdown, or



malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 135: Unavoidable noncompliance and violations**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 135.1:**

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

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

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

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

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



determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

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

**Condition 136: Compliance Demonstration**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 136.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 136.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under NYCRR 237-6.5, as of the NO<sub>x</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO<sub>x</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of applicable State law.

A NO<sub>x</sub> budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.

A NO<sub>x</sub> allowance allocated by the department under the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program is a



limited authorization to emit one ton of NOx in accordance with the ADR NOx Budget Trading Program. No provision of the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 137: Recordkeeping and Reporting Requirements  
Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 137.1:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

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



**Condition 138: Liability- facility no common stacks**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 138.1:**

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

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

**Condition 139: Effect on other Authorities**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 139.1:**

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

**Condition 140: Compliance Demonstration**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 140.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 140.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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



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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

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

- (a) whether the unit was operated in compliance with the NOx budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;
- (c) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring



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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 141: Submission of NO<sub>x</sub> allowance transfers**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 141.1:**

The NO<sub>x</sub> authorized account representatives seeking recordation of a NO<sub>x</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NO<sub>x</sub> allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each NO<sub>x</sub> allowance to be transferred; and
- (c) the printed name and signature of the NO<sub>x</sub> authorized account representative of the transferor account and the date signed.

**Condition 142: Compliance Demonstration**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 142.1:**

The Compliance Demonstration activity will be performed for the Facility.



**Item 142.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 143: Permit requirements to be included in new permits or units only**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 143.1:**

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

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

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

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

**Condition 144: Compliance Demonstration**



Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 144.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 144.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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



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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2014.

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

**Condition 145: Compliance Demonstration**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 145.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 145.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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



Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2014.

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

**Condition 146: Liability**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 146.1:**

No permit revision shall excuse any violation of the requirements of the ADR SO2 Budget Trading Program that occurs prior to the date that the revision takes effect.

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

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

**Condition 147: Effect on Other Authorities**

**Effective between the dates of 01/04/2013 and 01/03/2018**

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



**Item 147.1:**

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

**Condition 148: Submissions to the Department**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 148.1:**

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

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

**Condition 149: Compliance Demonstration**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 149.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 149.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO2 budget units at a source are subject to the SO2 budget emissions limitation, the SO2 authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO2 authorized account representative shall include in



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

- (1) identification of each SO<sub>2</sub> budget unit;
- (2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and
- (5) the compliance certification under NYCRR 238-4.1(c).

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

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



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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by March 1st

**Condition 150: Submission of SO2 allowance transfers  
Effective between the dates of 01/04/2013 and 01/03/2018**

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

**Item 150.1:**

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

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

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

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6101-00185/00008

Facility DEC ID: 2610100185



**Condition 151: Compliance Demonstration**  
Effective between the dates of 01/04/2013 and 01/03/2018

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

**Item 151.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 151.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2014.

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

**Condition 152: CO<sub>2</sub> Budget Trading Program - Excess emission requirements**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable State Requirement:6 NYCRR 242-1.5**

**Item 152.1:**

The owners and operators of a CO<sub>2</sub> budget source that has excess emissions in any control period shall:

- (1) forfeit the CO<sub>2</sub> allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO<sub>2</sub> offset allowances may not be used to cover any part of such excess emissions; and
- (2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).

**Condition 153: Compliance Demonstration**  
Effective between the dates of 01/04/2013 and 01/03/2018

**Applicable State Requirement:6 NYCRR 242-1.5**

**Item 153.1:**



The Compliance Demonstration activity will be performed for the Facility.

**Item 153.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators and, to the extent applicable, the CO<sub>2</sub> authorized account representative of each CO<sub>2</sub> budget source and each CO<sub>2</sub> budget unit at the source shall comply with the monitoring requirements of Subpart 242-8. The emissions measurements recorded and reported in accordance with Subpart 242-8 of this Part shall be used to determine compliance by the unit with the following CO<sub>2</sub> requirements:

(1) The owners and operators of each CO<sub>2</sub> budget source and each CO<sub>2</sub> budget unit at the source shall hold CO<sub>2</sub> allowances available for compliance deductions under Section 242-6.5, as of the CO<sub>2</sub> allowance transfer deadline, in the source's compliance account in an amount not less than the total CO<sub>2</sub> emissions for the control period from all CO<sub>2</sub> budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.

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

(3) A CO<sub>2</sub> budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.

(4) CO<sub>2</sub> allowances shall be held in, deducted from, or transferred among CO<sub>2</sub> Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.

(5) A CO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements specified in item 1, for a control period that ends prior to the allocation year for which the CO<sub>2</sub> allowance was allocated. A CO<sub>2</sub> offset allowance shall not be deducted, in order to comply with the requirements under item 1, beyond the applicable percent limitations set out in 6NYCRR Part 242-6.5(a)(3).

(6) A CO<sub>2</sub> allowance under the CO<sub>2</sub> Budget Trading Program is a limited authorization by the Department or a participating state to emit one ton of CO<sub>2</sub> in accordance



with the CO2 Budget Trading Program. No provision of the CO2 Budget Trading Program, the CO2 budget permit application, or the CO2 budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit such authorization.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

**Condition 154: Compliance Demonstration**  
**Effective between the dates of 01/04/2013 and 01/03/2018**

**Applicable State Requirement:6 NYCRR 242-1.5**

**Item 154.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 154.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

(iii) Copies of all reports, compliance certifications,



and other submissions and all records made or required under the CO2 Budget Trading Program.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2013.

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

