PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6102-00116/00021
Mod 0 Effective Date: 02/27/2008 Expiration Date: 02/26/2013

Mod 1 Effective Date: 02/06/2009 Expiration Date: 02/26/2013

Permit Issued To: ASTORIA GENERATING COMPANY LP
18-01 20TH AVE
LONG ISLAND CITY, NY 11105-4271

Contact: ANDREW W OLIVER
US POWER GENERATING COMPANY LLC
3650 JAMES ST STE 206
SYRACUSE, NY 13206
(315) 433-1371

Facility: GOWANUS GENERATING STATION
27TH ST & THIRD AVE
BROOKLYN, NY 11232

Contact: JAMES N GREGORY, JR
ASTORIA GENERATING COMPANY LP
PO BOX 658
BROOKLYN, NY 11232-0658
(718) 832-3926

Description:
The Title V Permit is modified to include conditions of the recently promulgated regulations of 6 NYCRR Part 243. This regulation requires the facilities to obtain/poses at least as many 'allocations' of sulfur dioxide (SO2) and oxides of nitrogen (NOx) as they emit into the atmosphere during a specified period of time.

Gowanus generating station is a power plant, energy generating facility. The facility turbines use distillate oil and natural gas for its 32 combustion turbines, each rated at 299 mmbtu/hr.

The Oxides of Nitrgen emissions is equal or greater than 25 tons per year on a 12 month rolling period and the facility is subject to the 6NYCRR Subpart 201-6, Title V Facility Permits, requirements.

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

Item 4.1:
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 6: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 6.1:
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 6.2:
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 6.3:

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

Item 8.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;

b) failure by the permittee to comply with any terms or conditions of the permit;

c) exceeding the scope of the project as described in the permit application;

d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Condition 9: Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 9.1:
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

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ASTORIA GENERATING COMPANY LP
18-01 20TH AVE
LONG ISLAND CITY, NY 11105-4271

Facility: GOWANUS GENERATING STATION
27TH ST & THIRD AVE
BROOKLYN, NY 11232

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4931 - ELEC & OTHER SERVICES COMBINED
5171 - PETROLEUM BULK STATIONS & TERMINALS

Mod 0 Permit Effective Date: 02/27/2008 Permit Expiration Date: 02/26/2013

Mod 1 Permit Effective Date: 02/06/2009 Permit Expiration Date: 02/26/2013

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Permit modifications, suspensions or revocations by the Department

Facility Level

Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

1 6NYCRR 200.6: Acceptable Ambient Air Quality
2 6NYCRR 201-6.5(a)(7): Fees
3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
6 6NYCRR 201-6.5(e): Compliance Certification
7 6NYCRR 202-2.1: Compliance Certification
8 6NYCRR 202-2.5: Recordkeeping requirements
9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
10 6NYCRR 200.7: Maintenance of Equipment
11 6NYCRR 201-1.7: Recycling and Salvage
12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
18 6NYCRR 201-6.5(f)(6): Off Permit Changes
19 6NYCRR 202-1.1: Required Emissions Tests
20 6NYCRR 211.3: Visible Emissions Limited
21 40CFR 68: Accidental release provisions.
22 40CFR 82, Subpart F: Recycling and Emissions Reduction
23 6NYCRR 201-6: Emission Unit Definition
24 6NYCRR 204-2.1: Submissions to the Department.
25 6NYCRR 204-4.1: Compliance Certification
26 6NYCRR 204-7.1: Submission of NOx allowance transfers.
27 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
28 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
29 6NYCRR 204-8.2: Compliance Certification
30 6NYCRR 204-8.3: Out of control periods.
31 6NYCRR 204-8.4: Compliance Certification
32 6NYCRR 204-8.7: Compliance Certification
33 6NYCRR 207: Submittal of Episode Action Plans

34 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
35 6NYCRR 225.1(a)(3): Compliance Certification
36 6NYCRR 227-1.3(a): Compliance Certification
37 6NYCRR 227-2.5(b): Compliance Certification
38 6NYCRR 227-2.6: Compliance Certification
39 6NYCRR 227-2.6: Compliance Certification
1-1 6NYCRR 243-1.6(a): Permit Requirements
1-2 6NYCRR 243-1.6(b): Monitoring requirements
1-3 6NYCRR 243-1.6(c): NOx Ozone Season Emission Requirements
1-4 6NYCRR 243-1.6(d): Excess emission requirements
1-5 6NYCRR 243-1.6(e): Recordkeeping and reporting requirements
1-7 6NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
1-6 6NYCRR 243-2.4: Certificate of representation
1-8 6NYCRR 243-8.1: General requirements
1-9 6NYCRR 243-8.1: Prohibitions
1-10 6NYCRR 243-8.3: Out of control periods
1-11 6NYCRR 243-8.5(d): Quarterly reports
1-12 6NYCRR 243-8.5(e): Compliance certification

Emission Unit Level

40 6NYCRR 201-6: Emission Point Definition By Emission Unit
41 6NYCRR 201-6: Process Definition By Emission Unit
42 6NYCRR 201-7: Process Permissible Emissions

EU=G-W0005

43 6NYCRR 225-1.7: Compliance Certification
44 6NYCRR 227.2(b)(1): Compliance Certification

EU=G-W0006

*45 6NYCRR 201-7: Capping Monitoring Condition
*46 6NYCRR 201-7: Capping Monitoring Condition
*47 6NYCRR 201-7: Capping Monitoring Condition
*48 6NYCRR 201-7: Capping Monitoring Condition
*49 6NYCRR 201-7: Capping Monitoring Condition
*50 6NYCRR 201-7: Capping Monitoring Condition
*51 6NYCRR 201-7: Capping Monitoring Condition
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*54 6NYCRR 201-7: Capping Monitoring Condition
55 6NYCRR 225-1.7: Compliance Certification
56 6NYCRR 227.2(b)(1): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

57 ECL 19-0301: Contaminant List
58 6NYCRR 201-1.4: Unavoidable noncompliance and violations
59 6NYCRR 211.2: Air pollution prohibited

NOTE: * preceding the condition number indicates capping.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 200.6

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

Condition 2: **Fees**
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 2.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

Condition 3: **Recordkeeping and reporting of compliance monitoring**
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 3.1:
The following information must be included in any required compliance monitoring records and reports:

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

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

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

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

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

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

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

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 02/27/2008 and 02/26/2013

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

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

Condition 5: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

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

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

Item 5.2:
Compliance Certification shall include the following monitoring:

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

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to

the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

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

(1) For emissions of a hazardous air pollutant or a toxic 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 any of the above conditions 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) through (4) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for

deviations reported under (1) and (2). All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) though (4) above. 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.

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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

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

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

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

i. Compliance certifications shall contain:
- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the

Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

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

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 202-2.5

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

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

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 215

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

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 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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 11: Recycling and Salvage
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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 15: Standard Requirement - Provide Information
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 15.1:
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 16: General Condition - Right to Inspect
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 16.1:
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 17: Standard Requirements - Progress Reports
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 17.1:
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 18: Off Permit Changes
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 18.1:
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

Condition 19: Required Emissions Tests
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 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. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 20: Visible Emissions Limited
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 211.3

Item 20.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 21: Accidental release provisions.
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:40CFR 68

Item 21.1:
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 22: Recycling and Emissions Reduction
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:
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 23: Emission Unit Definition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-6

Item 23.1(From Mod 0):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: G-W0005
Emission Unit Description:
Sixteen combustion turbines each rated at 299 MMBTU/hr.
Each combustion turbine has the capability to burn
distillate oil and has a diesel starter engine.

Building(s): PIER 1

Item 23.2(From Mod 0):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: G-W0006
Emission Unit Description:
Sixteen combustion turbines each rated at 299 MMBTU/hr. Each combustion turbine has the capability to burn natural gas and distillate oil and has a diesel starter engine.

Building(s): PIER 1

Condition 24: Submissions to the Department.
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-2.1

Item 24.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 25: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-4.1

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

Item 25.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
For each control period in which one or more NOx Budget units at a source are subject to the NOx Budget emissions limitation, the NOx authorized account representative of the source shall submit to the Department and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 26: Submission of NOx allowance transfers.
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-7.1

Item 26.1: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a

format specified by the Administrator:

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

Condition 27: Requirements for installation, certification, and data accounting.
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-8.1

Item 27.1: The owner or operator of each NOx Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NOx mass. This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and flow, in accordance with 40 CFR 75.71 and 75.72.
(2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NOx allowance allocations.
(3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.
(4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

Condition 28: Requirements for recertification of monitoring systems.
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-8.2

Item 28.1: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 29: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-8.2

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

Item 29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 30: Out of control periods.
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-8.3

Item 30.1: Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

Condition 31: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-8.4

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

Item 31.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (

one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office. All Authorized Account Representative changes shall be sent to the NYSDEC central office.

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

The address for the USEPA Administrator is as follows:

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

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

The address for the BCME is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 32: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 204-8.7

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a unit that elects to monitor and report NOx Mass emissions using a NOx concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Monitoring Frequency: HOURLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 33: Submittal of Episode Action Plans
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 207

Item 33.1:
An episode action plan must be submitted for approval by the Department in accordance with the requirements of 6NYCRR Part 207. The plan shall contain detailed steps which will be taken by the facility to reduce air contaminant emissions during each stage of an air pollution episode. Once approved, the facility shall take whatever actions are prescribed by the episode action plan when an air pollution episode is in effect.

Condition 34: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 34.1:
All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

Condition 35: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 225.1(a)(3)

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: WORK PRACTICE INVOLVING SPECIFIC

OPERATIONS
Monitoring Description:
No person shall sell, offer for sale, purchase or use any distillate oil which has sulfur content greater than 0.20 percent by weight. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.20 percent by weight
Monitoring Frequency: PER DELIVERY
Reporting Requirements: MONTHLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 3/30/2008.
Subsequent reports are due every 1 calendar month(s).

Condition 36: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 36.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 36.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No owner or operator of a combustion installation shall emit greater than 20 percent opacity (on a six minute block period) except for one six minute block period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

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

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

2) The results of each observation must be recorded in a

bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

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

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

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

Parameter Monitored: OPACITY
Upper Permit Limit: 27 percent
Reference Test Method: method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 37: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 37.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 37.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Astoria Generating Company's system-wide averaging of NOx emissions from its Astoria, Gowanus, and Narrows Generating Stations must be performed in accordance with the most current version of the NOx RACT Compliance and Operating Plan approved by the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 38: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 227-2.6

Item 38.1:
The Compliance Certification activity will be performed for the Facility.

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:
In lieu of performing a stack test on the Starter Engines associated with the Combustion Turbines, a log must be kept which lists the dates of operation of the Starter Engines and the duration of each occurrence. The log must be maintained at the facility and submitted, semiannually to the Department, at the following address:

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

The information on the Starter Engines, provided to the applicant by the engine manufacturer, is attached to this permit and constitutes an enforceable part of the permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 39: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 227-2.6

Item 39.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 39.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Stack testing shall be performed to verify compliance of NOx emissions from the Combustion Turbines with the most current version of the system-wide averaging plan (NOx RACT Compliance and Operating Plan), submitted by Astoria Generating Company. All stack testing shall be done in accordance with 6NYCRR 227-2.6(c).

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 1-1: Permit Requirements
Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-1.1:
The CAIR designated representative of each CAIR NOx Ozone Season source shall:
(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

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

Condition 1-2: Monitoring requirements

Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-2.1:
The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

Condition 1-3: NOx Ozone Season Emission Requirements
Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-3.1:
As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NOx ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

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

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

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

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

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

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

source.

Condition 1-4: Excess emission requirements
Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-4.1:
If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

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

(2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

Condition 1-5: Recordkeeping and reporting requirements
Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-5.1:
Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

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

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

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

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

Condition 1-7: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 02/06/2009 and 02/26/2013

Applicable Federal Requirement:6NYCRR 243-2.1

Item 1-7.1:
Except as provided under section 243-2.2, each CAIR NOx Ozone Season source, including all CAIR NOx Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NOx Ozone Season Trading Program concerning the source or any CAIR NOx Ozone Season unit at the source.

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

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

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

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

Condition 1-6: Certificate of representation
Effective between the dates of 02/06/2009 and 02/26/2013

Applicable Federal Requirement:6NYCRR 243-2.4

Item 1-6.1:
Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

Condition 1-8: General requirements
Effective between the dates of 02/06/2009 and 02/26/2013

Applicable Federal Requirement:6NYCRR 243-8.1

Item 1-8.1:
The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NOx Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

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

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

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

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

Condition 1-9: Prohibitions
Effective between the dates of 02/06/2009 and 02/26/2013

Applicable Federal Requirement:6NYCRR 243-8.1

Item 1-9.1:
No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any

requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

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

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

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

Condition 1-10: Out of control periods
Effective between the dates of 02/06/2009 and 02/26/2013

Applicable Federal Requirement:6NYCRR 243-8.3

Item 1-10.1:
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.

Condition 1-11: Quarterly reports
Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-11.1:
The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NOx Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NOx emissions limitation or if the owner or operator of such unit chooses to report

on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NOx mass emissions) for such unit for the entire year and shall report the NOx mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

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

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

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

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

Condition 1-12: Compliance certification
Effective between the dates of 02/06/2009 and 02/26/2013

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

Item 1-12.1:
The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

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

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

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

systematically underestimate NOx emissions.

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

Condition 40: Emission Point Definition By Emission Unit
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-6

Item 40.1(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: G-W0005

Emission Point: 0GT11
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT12
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT13
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT14
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT15
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT16
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT17
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT18
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT41
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT42
Height (ft.): 57 Length (in.): 240 Width (in.): 154

Building: PIER 1

Emission Point: 0GT43
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT44
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT45
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT46
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT47
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT48
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Item 40.2(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: G-W0006

Emission Point: 0GT21
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT22
Height (ft.): 57 Length (in.): 240 Width (in.): 154
NYTMN (km.): 4501.523 NYTME (km.): 584.333 Building: PIER 1

Emission Point: 0GT23
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT24
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT25
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT26
Height (ft.): 57 Length (in.): 240 Width (in.): 154

Building: PIER 1

Emission Point: 0GT27
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT28
Height (ft.): 57 Length (in.): 240 Width (in.): 154
NYTMN (km.): 4501.523 NYTME (km.): 584.333 Building: PIER 1

Emission Point: 0GT31
Height (ft.): 57 Length (in.): 240 Width (in.): 154
NYTMN (km.): 4501.523 NYTME (km.): 584.333 Building: PIER 1

Emission Point: 0GT32
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT33
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT34
Height (ft.): 57 Length (in.): 240 Width (in.): 154
NYTMN (km.): 4501.523 NYTME (km.): 584.333 Building: PIER 1

Emission Point: 0GT35
Height (ft.): 57 Length (in.): 240 Width (in.): 154
NYTMN (km.): 4501.523 NYTME (km.): 584.333 Building: PIER 1

Emission Point: 0GT36
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Emission Point: 0GT37
Height (ft.): 57 Length (in.): 240 Width (in.): 154
NYTMN (km.): 4501.523 NYTME (km.): 584.333 Building: PIER 1

Emission Point: 0GT38
Height (ft.): 57 Length (in.): 240 Width (in.): 154
Building: PIER 1

Condition 41: Process Definition By Emission Unit
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-6

Item 41.1(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: G-W0005
Process: D01 Source Classification Code: 2-01-001-09
Process Description:

THIS PROCESS INCLUDES: 16 COMBUSTION TURBINES RATED AT 299 MMBTU/HR EACH. THIS PROCESS COVERS THE COMBUSTION OF DISTILLATE OIL IN THESE TURBINES.

Emission Source/Control: 0GT11 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT12 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT13 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT14 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT15 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT16 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT17 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT18 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT41 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT42 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT43 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT44 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT45 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT46 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT47 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT48 - Combustion
Design Capacity: 299 million Btu per hour

Item 41.2(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: G-W0005
Process: SD1 Source Classification Code: 2-01-001-02
Process Description:
This process is for 16 diesel starter engines each rated at 600 hp. Each combustion turbine has a starter engine.

Emission Source/Control: 0GT11 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT12 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT13 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT14 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT15 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT16 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT17 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT18 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT41 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT42 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT43 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT44 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT45 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT46 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT47 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT48 - Combustion
Design Capacity: 299 million Btu per hour

Item 41.3(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: G-W0006
Process: D02 Source Classification Code: 2-01-001-09
Process Description:
THIS PROCESS INCLUDES: 16 COMBUSTION TURBINES RATED AT 299 MMBTU/HR EACH, CONVERTED TO DUAL FUEL CAPABILITY. THIS PROCESS COVERS THE COMBUSTION OF DISTILLATE OIL IN THESE TURBINES.

Emission Source/Control: 0GT21 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT22 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT23 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT24 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT25 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT26 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT27 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT28 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT31 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT32 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT33 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT34 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT35 - Combustion

Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT36 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT37 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT38 - Combustion
Design Capacity: 299 million Btu per hour

Item 41.4(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: G-W0006
Process: NG1 Source Classification Code: 2-01-002-01
Process Description:
THIS PROCESS INCLUDES: 16 COMBUSTION TURBINES RATED AT 299 MMBTU/HR EACH, CONVERTED TO DUAL FUEL CAPABILITY. THIS PROCESS COVERS THE COMBUSTION OF NATURAL GAS IN THESE TURBINES.

Emission Source/Control: 0GT21 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT22 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT23 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT24 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT25 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT26 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT27 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT28 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT31 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT32 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT33 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT34 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT35 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT36 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT37 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT38 - Combustion
Design Capacity: 299 million Btu per hour

Item 41.5(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: G-W0006
Process: SD2 Source Classification Code: 2-01-001-02
Process Description:
This process is for 16 diesel starter engines each rated at 600 hp. Each combustion turbine has a starter engine.

Emission Source/Control: 0GT21 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT22 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT23 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT24 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT25 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT26 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT27 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT28 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT31 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT32 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT33 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT34 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT35 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT36 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT37 - Combustion
Design Capacity: 299 million Btu per hour

Emission Source/Control: 0GT38 - Combustion
Design Capacity: 299 million Btu per hour

Condition 42: Process Permissible Emissions
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 42.1:
The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: G-W0005 Process: D01

CAS No: 000630-08-0 (From Mod 0)
Name: CARBON MONOXIDE
PTE(s): 16 pounds per hour
0.0033 pounds per million Btus
138,296 pounds per year

CAS No: 007446-09-5 (From Mod 0)
Name: SULFUR DIOXIDE
PTE(s): 966.5 pounds per hour
0.202 pounds per million Btus
8,465,383 pounds per year

CAS No: 0NY075-00-0 (From Mod 0)
Name: PARTICULATES
PTE(s): 57 pounds per hour
0.012 pounds per million Btus
502,900 pounds per year

CAS No: 0NY075-00-5 (From Mod 0)

Name: PM-10
PTE(s): 57 pounds per hour
0.012 pounds per million Btus
502,900 pounds per year

CAS No: 0NY210-00-0 (From Mod 0)
Name: OXIDES OF NITROGEN
PTE(s): 2,928 pounds per hour
0.612 pounds per million Btus
25,647,600 pounds per year

CAS No: 0NY998-00-0 (From Mod 0)
Name: VOC
PTE(s): 2 pounds per hour
0.00041 pounds per million Btus
17,182 pounds per year

Emission Unit: G-W0005 Process: SD1

CAS No: 000630-08-0 (From Mod 0)
Name: CARBON MONOXIDE
PTE(s): 6.5 pounds per hour
0.1 pounds per million Btus
560 pounds per year

CAS No: 007446-09-5 (From Mod 0)
Name: SULFUR DIOXIDE
PTE(s): 19.5 pounds per hour
0.29 pounds per million Btus
1,796 pounds per year

CAS No: 0NY075-00-0 (From Mod 0)
Name: PARTICULATES
PTE(s): 21 pounds per hour
0.31 pounds per million Btus
1,927 pounds per year

CAS No: 0NY075-00-5 (From Mod 0)
Name: PM-10
PTE(s): 21 pounds per hour
0.31 pounds per million Btus
1,927 pounds per year

CAS No: 0NY210-00-0 (From Mod 0)
Name: OXIDES OF NITROGEN
PTE(s): 297.5 pounds per hour
4.41 pounds per million Btus
27,156 pounds per year

CAS No: 0NY998-00-0 (From Mod 0)
Name: VOC
PTE(s): 48 pounds per hour
0.36 pounds per million Btus

4,398 pounds per year

Condition 43: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 225-1.7

Item 43.1:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0005

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

Item 43.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
DAILY FUEL USAGE IS DETERMINED. AVG ELECTRICAL OUTPUT & HRLY GENERATION RATE ARE MEASURED. HEAT CONTENT, SULFUR CONTENT & ASH CONTENT ARE DETERMINED FOR EA SHIPMENT. QUARTERLY REPORTS OF EXCEEDANCES ARE FILED.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 44: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 44.1:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0005

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

Item 44.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,

2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and

3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 45.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 45.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 45.3:
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.

Item 45.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 45.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 45.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 45.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.012 LB/MMBTU FOR OIL FIRE AND 0.0066 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON AP-42.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: PM-10
Upper Permit Limit: 21.3 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 46: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 46.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 46.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 46.3:
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.

Item 46.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 46.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 46.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

Regulated Contaminant(s):
CAS No: 007439-92-1 LEAD

Item 46.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS

THAN OR EQUAL TO THE CAP.

Emission factor for Lead used is 1.4 E
-05 lb/MMBtu
EMISSION UNIT GW 0006 SHALL BE LIMITED TO
FOLLOWING TONS PER YEAR. THE FACILITY
MUST MAINTAIN RECORDS ON A DAILY BASIS IN
ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL
ENGINEER MUST BE NOTIFIED IN WRITING
WITHIN 10 WORKING DAYS OF ANY
CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: LEAD
Upper Permit Limit: 0.56 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 47: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 47.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

Item 47.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 47.3:
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.

Item 47.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This

certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 47.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 47.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 47.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.0315 LB/MMBTU FOR OIL FIRE AND 0.00627 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON JULY-AUGUST 2001 STACK TEST.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.]]]]

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 69 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.

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

Condition 48: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 48.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

Item 48.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 48.3:
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.

Item 48.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 48.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 48.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 48.7:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:

FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.00959 LB/MMBTU FOR OIL FIRE AND 0.00354 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON JULY-AUGUST 2001 STACK TEST.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: VOC
Upper Permit Limit: 8.6 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 49: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 49.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

Item 49.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 49.3:
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.

Item 49.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 49.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 49.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 49.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.440 LB/MMBTU FOR OIL FIRE AND 0.261 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON JULY-AUGUST 2001 STACK TEST.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 382 tons per year

Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 50: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 50.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 50.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 50.3:
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.

Item 50.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 50.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 50.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

Regulated Contaminant(s):
CAS No: 007439-97-6 MERCURY

Item 50.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

Emission factor used for Mercury is 1.2E-06 lb/MmBtu.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: MERCURY
Upper Permit Limit: 0.05 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 51: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 51.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 51.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 51.3:
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.

Item 51.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 51.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 51.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

Regulated Contaminant(s):
CAS No: 007440-41-7 BERYLLIUM

Item 51.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

Emission Factor used for Beryllium is 3.1E-07 lb/MMBtu

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: BERYLLIUM
Upper Permit Limit: 0.00058 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 52: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 52.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 52.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 52.3:
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.

Item 52.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 52.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 52.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 52.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.012 LB/MMBTU FOR OIL FIRE AND 0.0066 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON AP-42.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 30.8 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 53: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 53.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 53.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 53.3:
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.

Item 53.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 53.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 53.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 53.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.575 LB/MMBTU FOR OIL FIRE AND 0.313 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON DECEMBER 2006 STACK TEST.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN

ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL
ENGINEER MUST BE NOTIFIED IN WRITING
WITHIN 10 WORKING DAYS OF ANY
CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 382 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 54: Capping Monitoring Condition
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 201-7

Item 54.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

Item 54.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 54.3:
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.

Item 54.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 54.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of

the Act.

Item 54.6:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 54.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
FUEL USAGE IS DETERMINED AND USED IN CONJUNCTION WITH RELEVANT EMISSION FACTOR TO VERIFY THAT ANNUAL EMISSIONS ARE LESS THAN OR EQUAL TO THE CAP.

EMISSION FACTORS USED: 0.202 LB/MMBTU FOR OIL FIRE AND 0.0034 LB/MMBTU FOR NATURAL GAS FIRE, BASED ON AP-42.

EMISSION UNIT GW 0006 SHALL BE LIMITED TO FOLLOWING TONS PER YEAR. THE FACILITY MUST MAINTAIN RECORDS ON A DAILY BASIS IN ORDER TO DEMONSTRATE COMPLIANCE.

THE REGIONAL AIR POLLUTION CONTROL ENGINEER MUST BE NOTIFIED IN WRITING WITHIN 10 WORKING DAYS OF ANY CONTRAVENTION OF THE EMISSION LIMIT.

Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 117 tons per year
Reference Test Method: EPA Approved
Monitoring Frequency: DAILY
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 4/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 55: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6NYCRR 225-1.7

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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:
DAILY FUEL USAGE IS DETERMINED. AVG ELECTRICAL OUTPUT & HRLY GENERATION RATE ARE MEASURED. HEAT CONTENT, SULFUR CONTENT & ASH CONTENT ARE DETERMINED FOR EA SHIPMENT. QUARTERLY REPORTS OF EXCEEDANCES ARE FILED.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 56: Compliance Certification
Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 56.1:
The Compliance Certification activity will be performed for:

Emission Unit: G-W0006

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

Item 56.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,

2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and

3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2008.
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 57: Contaminant List
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable State Requirement:ECL 19-0301

Item 57.1:
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: 007439-92-1

Name: LEAD

CAS No: 007439-97-6
Name: MERCURY

CAS No: 007440-41-7
Name: BERYLLIUM

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

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

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

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

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

Condition 58: Unavoidable noncompliance and violations
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable State Requirement:6NYCRR 201-1.4

Item 58.1:
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 59: Air pollution prohibited
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable State Requirement:6NYCRR 211.2

Item 59.1:
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.