



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
Mod 2 Effective Date: 10/21/2009 Expiration Date: 02/26/2013

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 2-6102-00116/00023
Effective Date: 10/21/2009 Expiration Date: 02/26/2013

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

Contact: MARK BARANELLO
ASTORIA GENERATING COMPANY LP
PO BOX 658
BROOKLYN, NY 11232
(718) 499-6368

Facility: GOWANUS GENERATING STATION
29TH ST & 2ND AVE
BROOKLYN, NY 11232

Contact: MARK BARANELLO
ASTORIA GENERATING COMPANY LP
PO BOX 658
BROOKLYN, NY 11232
(718) 499-6368

Description:
Astoria Generating Company, LP (AGC) is authorized to install one (1) general electric LMS100 combustion turbine/electric generator set at the existing Gowanus Generating Station (GGS) as part of the South Pier Improvement Project (SPIP). The turbine LMS100 (LMS01) is subject to Acid Rain Permit 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
 - 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: 6 NYCRR 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 2-1: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 2-1.1:

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.

Condition 8: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 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: 6 NYCRR 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
29TH ST & 2ND AVE
BROOKLYN, NY 11232

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

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

Mod 2 Permit Effective Date: 10/21/2009

Permit Expiration Date: 02/26/2013



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- *2-1 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *2-2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *2-3 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *2-4 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *2-5 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *2-6 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *2-7 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 24 6 NYCRR 204-2.1: Submissions to the Department.
- 25 6 NYCRR 204-4.1: Compliance Certification
- 26 6 NYCRR 204-7.1: Submission of NO_x allowance transfers.
- 27 6 NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 28 6 NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 29 6 NYCRR 204-8.2: Compliance Certification
- 30 6 NYCRR 204-8.3: Out of control periods.
- 31 6 NYCRR 204-8.4: Compliance Certification
- 32 6 NYCRR 204-8.7: Compliance Certification
- 33 6 NYCRR Part 207: Submittal of Episode Action Plans
- 34 6 NYCRR 225-1.8 (d): Sampling, compositing, and analysis of fuel samples
- 35 6 NYCRR 225.1 (a) (3): Compliance Certification



- 2-8 6 NYCRR 225.7 (a): Compliance Certification
 - 37 6 NYCRR 227-2.5 (b): Compliance Certification
 - 38 6 NYCRR 227-2.6: Compliance Certification
 - 39 6 NYCRR 227-2.6: Compliance Certification
 - 1-1 6 NYCRR 243-1.6 (a): Permit Requirements
 - 1-2 6 NYCRR 243-1.6 (b): Monitoring requirements
 - 1-3 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
 - 1-4 6 NYCRR 243-1.6 (d): Excess emission requirements
 - 1-5 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
 - 1-7 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
 - 1-6 6 NYCRR 243-2.4: Certificate of representation
 - 1-8 6 NYCRR 243-8.1: General requirements
 - 1-9 6 NYCRR 243-8.1: Prohibitions
 - 1-10 6 NYCRR 243-8.3: Out of control periods
 - 1-11 6 NYCRR 243-8.5 (d): Quarterly reports
 - 1-12 6 NYCRR 243-8.5 (e): Compliance certification
 - 2-9 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
 - 2-10 6 NYCRR Subpart 244-2: Designated CAIR Representative
 - 2-11 6 NYCRR Subpart 244-8: Compliance Certification
 - 2-12 6 NYCRR Subpart 245-1: CAIR General and Permit Requirements
 - 2-13 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
 - 2-14 6 NYCRR Subpart 245-2: Designated CAIR Representative
 - 2-15 6 NYCRR Subpart 245-8: Monitoring and Reporting SO2 Emissions
- Emission Unit Level**
- 40 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
 - 41 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
 - 42 6 NYCRR Subpart 201-7: Process Permissible Emissions

EU=G-00001

- 2-16 6 NYCRR 200.6: Compliance Certification
- 2-17 6 NYCRR Subpart 201-6: Compliance Certification
- 2-18 6 NYCRR Subpart 201-6: Compliance Certification
- 2-19 6 NYCRR Subpart 201-6: Compliance Certification
- 2-20 6 NYCRR 225-1.7 (c): Compliance Certification
- 2-21 6 NYCRR 225-1.7 (e): Sulfur in fuel exception reporting

EU=G-00001,Proc=D01

- 2-22 6 NYCRR 227-1.3 (a): Compliance Certification
- 2-23 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=G-00001,Proc=OGT

- *2-24 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 2-25 6 NYCRR 227-1.3 (a): Compliance Certification
- 2-26 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=G-00001,Proc=OIL,ES=LMS01

- 2-27 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=G-00001,Proc=SEP

- 2-28 6 NYCRR Subpart 201-6: Compliance Certification
- 2-29 6 NYCRR 227-1.3 (a): Compliance Certification



2-30 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=G-00001,EP=00100

- 2-31 6 NYCRR 227-1.3 (a): Compliance Certification
- 2-32 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 2-33 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification - if a COM is used.
- 2-34 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 2-35 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 2-36 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 2-37 40CFR 60.9, NSPS Subpart A: Availability of information.
- 2-38 40CFR 60.12, NSPS Subpart A: Circumvention.
- 2-39 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 2-40 40CFR 60.14, NSPS Subpart A: Modifications.
- 2-41 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 2-42 40CFR 60.4330, NSPS Subpart KKKK: Compliance Certification
- 2-43 40CFR 60.4345, NSPS Subpart KKKK: Compliance Certification
- 2-44 40CFR 60.4350, NSPS Subpart KKKK: Excess emissions identification using a CEM
- 2-45 40CFR 60.4355, NSPS Subpart KKKK: Compliance Certification
- 2-46 40CFR 60.4360, NSPS Subpart KKKK: Total sulfur content in fuel used in a combustion turbine
- 2-47 40CFR 60.4370, NSPS Subpart KKKK: Compliance Certification
- 2-48 40CFR 60.4375, NSPS Subpart KKKK: Compliance Certification
- 2-49 40CFR 60.4400, NSPS Subpart KKKK: NOx testing requirements
- 2-50 40CFR 60.4405, NSPS Subpart KKKK: Initial performance test for facilities with NOx diluent CEMS
- 2-51 40CFR 60.4415, NSPS Subpart KKKK: Testing requirements for sulfur dioxide
- 2-52 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

EU=G-00001,EP=00100,Proc=GAS

- 2-53 40CFR 60.4325, NSPS Subpart KKKK: Compliance Certification

EU=G-00001,EP=00100,Proc=GAS,ES=LMS01

- 2-54 6 NYCRR Subpart 201-6: Compliance Certification
- 2-55 6 NYCRR Subpart 201-6: Compliance Certification
- 2-56 6 NYCRR Subpart 201-6: Compliance Certification
- 2-57 6 NYCRR Subpart 201-6: Compliance Certification
- 2-58 6 NYCRR Subpart 201-6: Compliance Certification
- 2-59 6 NYCRR Subpart 201-6: Compliance Certification
- 2-60 6 NYCRR Subpart 201-6: Compliance Certification
- 2-61 6 NYCRR Subpart 201-6: Compliance Certification
- 2-62 6 NYCRR Subpart 201-6: Compliance Certification
- 2-63 6 NYCRR Subpart 201-6: Compliance Certification
- 2-64 6 NYCRR Subpart 201-6: Compliance Certification
- 2-65 6 NYCRR Subpart 201-6: Compliance Certification
- 2-66 6 NYCRR Subpart 201-6: Compliance Certification
- 2-67 6 NYCRR Subpart 201-6: Compliance Certification
- 2-68 6 NYCRR Subpart 201-6: Compliance Certification



EU=G-00001,EP=00100,Proc=OIL

2-69 40CFR 60.4325, NSPS Subpart KKKK: Compliance Certification

EU=G-00001,EP=00100,Proc=OIL,ES=LMS01

2-70 6 NYCRR Subpart 201-6: Compliance Certification
2-71 6 NYCRR Subpart 201-6: Compliance Certification
2-72 6 NYCRR Subpart 201-6: Compliance Certification
2-73 6 NYCRR Subpart 201-6: Compliance Certification
2-74 6 NYCRR Subpart 201-6: Compliance Certification
2-75 6 NYCRR Subpart 201-6: Compliance Certification
2-76 6 NYCRR Subpart 201-6: Compliance Certification
2-77 6 NYCRR Subpart 201-6: Compliance Certification
2-78 6 NYCRR Subpart 201-6: Compliance Certification
2-79 6 NYCRR Subpart 201-6: Compliance Certification
2-80 6 NYCRR Subpart 201-6: Compliance Certification
2-81 6 NYCRR Subpart 201-6: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

57 ECL 19-0301: Contaminant List
58 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
2-82 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
59 6 NYCRR 211.2: Air pollution prohibited
2-83 6 NYCRR 211.2: Air pollution prohibited
2-84 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
2-85 6 NYCRR 242-1.5: Compliance Demonstration
2-86 6 NYCRR 242-1.5: Compliance Demonstration

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 - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item D: Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR 201-6.5 (a) (6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR 201-6.5 (a) (9)**



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

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

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

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

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

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

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



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



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

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

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 02/27/2008 and 02/26/2013**

Applicable Federal Requirement: 6 NYCRR 200.6

Item 1.1:

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

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

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

Item 2.1:

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

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

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

Item 3.1:

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

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



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

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

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

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

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

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

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

Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 4.1:

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

Condition 5: Compliance Certification

Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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



official for this facility.

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

(1) For emissions of a hazardous air pollutant 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) through (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: 6 NYCRR 201-6.5 (e)

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
 - and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of 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:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Condition 8: Recordkeeping requirements
Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

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



- (1) a copy of each emission statement submitted to the department; and
 - (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.
- (b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

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

Applicable Federal Requirement:6 NYCRR Part 215

Item 9.1:

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

**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:6 NYCRR 200.7

Item 10.1:

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

**Condition 11: Recycling and Salvage
Effective between the dates of 02/27/2008 and 02/26/2013**

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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

Condition 12: Prohibition of Reintroduction of Collected Contaminants to



the air

Effective between the dates of 02/27/2008 and 02/26/2013

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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

Condition 13: Exempt Sources - Proof of Eligibility

Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 13.1:

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

Condition 14: Trivial Sources - Proof of Eligibility

Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 14.1:

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

Condition 15: Standard Requirement - Provide Information

Effective between the dates of 02/27/2008 and 02/26/2013

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

Item 19.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. 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:6 NYCRR 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:40 CFR Part 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:6 NYCRR Subpart 201-6

Item 23.1(From Mod 2):

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

Emission Unit: G-00001

Emission Unit Description:

Emission Point 00100: One (1) LMS100 turbine rated at 885.8 MMBTU/hr firing natural gas and 839.2 MMBTU/hr firing ULSD.

The LMS100 will be equipped with air pollution control equipment including an SCR and a CO oxidation catalyst.

Emission Points 0GT11 - 0GT18 and 0GT41 - 0GT 48: Sixteen (16) combustion turbines each rated at 299 MMBTU/hr. Each combustion turbine has the capability to burn distillate oil and has a diesel starter engine. Emission Points 0GT21 - 0GT28 and 0GT31 - 0GT38: Sixteen (16) 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): LMS100
PIER 1



Item 23.2(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 23.3(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 2-1: Capping Monitoring Condition
Effective between the dates of 10/21/2009 and 02/26/2013**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-1.1:

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:

6 NYCRR 231-2.2

Item 2-1.2:

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

Item 2-1.3:

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 2-1.4:

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 2-1.5:



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 2-1.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-02-5 PM 2.5

Item 2-1.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100 turbine:

The facility wide emissions of PM-2.5 is limited to 29.25 tons per year to stay below the applicability thresholds of 40 CFR 52.21.

The facility must calculate annual PM-2.5 emissions from all emission sources using measured fuel data in conjunction with approved emission factors. All records must be maintained at the facility for a minimum period of five years.

Parameter Monitored: PM 2.5

Upper Permit Limit: 29.25 tons per year

Reference Test Method: EPA approved

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-2: Capping Monitoring Condition

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-2.1:

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:

6 NYCRR 231-2.2



Item 2-2.2:

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

Item 2-2.3:

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 2-2.4:

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 2-2.5:

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 2-2.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-2.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100 turbine:

The total annual facility wide emissions of NO_x is limited to 441.74 tons to stay below the applicability thresholds of 6 NYCRR 231 (Non-Attainment Review).

The Facility must calculate the annual NO_x emissions from all emission sources at the facility. A CEM should measure and record NO_x emissions from the LMS100 turbine, and NO_x emissions from all the other sources shall be determined using measured fuel data in conjunction with approved emission factors from most recent stack test.

All records must be maintained at the facility for a



minimum period of five years.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 441.74 tons per year
Reference Test Method: EPA approved
Monitoring Frequency: MONTHLY
Averaging Method: 12-month total, rolled monthly
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-3: Capping Monitoring Condition
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 2-3.1:

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:

40 CFR 52.21

Item 2-3.2:

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

Item 2-3.3:

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 2-3.4:

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 2-3.5:

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 2-3.6:

The Compliance Certification activity will be performed for the Facility.



Regulated Contaminant(s):

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

Item 2-3.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100 turbine:

The facility wide emissions of PM-10 is limited to 29.25 tons per year to stay below the applicability thresholds of 40 CFR 52.21.

The facility must calculate the annual PM-10 emissions from all emission sources using measured fuel data in conjunction with approved emission factors. All records must be maintained at the facility for a minimum period of five years.

Parameter Monitored: PM-10

Upper Permit Limit: 29.25 tons per year

Reference Test Method: EPA approved

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-4: Capping Monitoring Condition

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-4.1:

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:

6 NYCRR Subpart 231-2

Item 2-4.2:

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

Item 2-4.3:

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 2-4.4:

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 2-4.5:

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 2-4.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-4.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100:

The GGS facility wide emissions of VOC is limited to 10.85 tpy to stay below the applicability thresholds of 6 NYCRR 231 (Non-Attainment Review).

Facility-wide fuel use shall be measured and recorded on a daily basis and shall be used in conjunction with approved emission factors to verify that emissions are less than the cap.

Parameter Monitored: VOC

Upper Permit Limit: 10.85 tons per year

Reference Test Method: EPA approved

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-5: Capping Monitoring Condition



Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-5.1:

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:

40 CFR 52.21

Item 2-5.2:

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

Item 2-5.3:

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 2-5.4:

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 2-5.5:

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 2-5.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-92-1 LEAD

Item 2-5.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100.

The GGS facility wide emissions of lead is limited to



0.01 tons per year as proposed by the applicant.

Facility must calculate the total yearly lead emissions from all emission sources using measured fuel data in conjunction with approved emission factors.

Parameter Monitored: LEAD

Upper Permit Limit: 0.01 tons per year

Reference Test Method: EPA approved

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-6: Capping Monitoring Condition
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 2-6.1:

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:

40 CFR 52.21

Item 2-6.2:

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

Item 2-6.3:

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 2-6.4:

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 2-6.5:

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 2-6.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 2-6.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100 turbine:

The facility wide emissions of SO₂ is limited to 7.62 tons per year to stay below the applicability thresholds of 40 CFR 52.21.

The facility-wide fuel usage shall be measured and recorded on a daily basis and shall be used in conjunction with sulfur content of fuel to verify that emissions are less than the cap.

Parameter Monitored: SULFUR

Upper Permit Limit: 7.62 tons per year

Reference Test Method: EPA approved

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-7: Capping Monitoring Condition

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-7.1:

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:

40 CFR 52.21

Item 2-7.2:

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



Item 2-7.3:

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 2-7.4:

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 2-7.5:

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 2-7.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-7.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

This conditions will become effective upon commercial operation of the LMS100 turbine:

The facility wide CO emissions is limited to 60.19 tpy to stay below the applicability thresholds of 40 CFR 52.21.

The facility-wide CO emissions shall be recorded as follows: A CEMs should measure and record CO emissions from the LMS100 turbine, and CO emissions from all the other sources shall be determined using measured fuel data in conjunction with approved emission factors.

All records must be maintained at the facility for a minimum period of five years.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 60.19 tons per year

Reference Test Method: EPA approved



Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

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

Applicable Federal Requirement:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR Part 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:6 NYCRR 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:6 NYCRR 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 2-8: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR 225.7 (a)

Item 2-8.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-8.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

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

Applicable Federal Requirement: 6 NYCRR 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: 6 NYCRR 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:6 NYCRR 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 NO_x emissions from the Combustion Turbines with the most current version of the system-wide averaging plan (NO_x 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:6 NYCRR 243-1.6 (a)

Item 1-1.1:

The CAIR designated representative of each CAIR NO_x Ozone Season source shall:

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

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

The owners and operators of each CAIR NO_x 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:6 NYCRR 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 NO_x Ozone Season source with the CAIR NO_x 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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 NO_x Ozone Season source represented and each CAIR NO_x Ozone Season unit at the source in all matters pertaining to the CAIR NO_x Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

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

Each submission under the CAIR NO_x Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO_x 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:6 NYCRR 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:6 NYCRR 243-8.1

Item 1-8.1:

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO_x 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 NO_x 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 NO_x 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 NO_x Ozone Season unit.

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

- (1) install all monitoring systems required under this Subpart for monitoring NO_x mass emissions and individual unit heat input (including all systems required to monitor NO_x emission rate, NO_x 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: 6 NYCRR 243-8.1

Item 1-9.1:

No owner or operator of a CAIR NO_x 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 NO_x Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NO_x 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 NO_x 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 NO_x 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 NO_x 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:6 NYCRR 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:6 NYCRR 243-8.5 (d)

Item 1-11.1:

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

If the CAIR NO_x Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NO_x emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NO_x mass emissions) for such unit for the entire year and shall report the NO_x mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

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

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

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

For CAIR NO_x Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x 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 NO_x 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:6 NYCRR 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 NO_x emission controls and for all hours where NO_x data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO_x emissions; and
- (3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO_x emission rate and NO_x concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO_x emissions.

**Condition 2-9: CAIR NO_x Annual Trading Program General Conditions
Effective between the dates of 10/21/2009 and 02/26/2013**

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 2-9.1:

- 1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NO_x allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO_x units at the source during that control period. A CAIR NO_x allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]
- 2) The owners and operators shall hold in their compliance account, CAIR NO_x allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NO_x unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]
- 3) If a CAIR NO_x source emits nitrogen oxides during any control period in excess of the CAIR NO_x emissions limitation, the owners and operators of the CAIR NO_x source shall surrender the CAIR NO_x allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d)]
- 4) Unless otherwise provided, the owners and operators of the CAIR NO_x source shall keep on



site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

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

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

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

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

Condition 2-10: Designated CAIR Representative
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 2-10.1:

(1) Each CAIR NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source.

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

Condition 2-11: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013



Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 2-11.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-11.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

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

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

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

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

(5) 'Compliance certification.' The CAIR designated



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

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

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

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

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



Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-12: CAIR General and Permit Requirements
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 245-1

Item 2-12.1:

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

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

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

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

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

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



submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

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

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

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

Condition 2-13: CAIR SO₂ Trading Program General Provisions
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 2-13.1:

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

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

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

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

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



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

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

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

Condition 2-14: Designated CAIR Representative
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 245-2

Item 2-14.1:

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

(2) Each submission under the CAIR SO₂ Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO₂ source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
[245-2.1(e)]

Condition 2-15: Monitoring and Reporting SO₂ Emissions
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 245-8

Item 2-15.1:

(1)The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR SO₂ unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this section and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall



apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO2 unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO2 unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO2 unit. (245-8.1)

(2) 'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR SO2 unit shall:

(i) install all monitoring systems required under this Subpart for monitoring SO2 mass emissions and individual unit heat input (including all systems required to monitor SO2 concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

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

(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section. (245-8.1(a))

(3) 'Compliance deadlines.' The owner or operator shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the following dates.

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

(ii) For the owner or operator of a CAIR SO2 unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation. (245-8.1(b))

(4) 'Reporting data.' The owner or operator of a CAIR SO2 unit that does not meet the applicable compliance date set forth in this section for any monitoring system under paragraph 2 of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for SO2 concentration, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine SO2 mass emissions and heat input in accordance with 40 CFR 75.31(b)(2) or (c)(3) or 40 CFR Part 75, appendix D, section 2.4, as applicable. (245-8.1(c))

**** 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: 6 NYCRR Subpart 201-6

Item 40.1(From Mod 2):



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

Emission Unit: G-00001			
Emission Point: 00100	Height (ft.): 100	Diameter (in.): 162	
	NYTMN (km.): 4501.7	NYTME (km.): 584.085	Building: LMS100
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: 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 NYTMN (km.): 4501.523	Length (in.): 240 NYTME (km.): 584.333	Width (in.): 154 Building: PIER 1
Emission Point: 0GT31 Height (ft.): 57 NYTMN (km.): 4501.523	Length (in.): 240 NYTME (km.): 584.333	Width (in.): 154 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 NYTMN (km.): 4501.523	Length (in.): 240 NYTME (km.): 584.333	Width (in.): 154 Building: PIER 1
Emission Point: 0GT35 Height (ft.): 57 NYTMN (km.): 4501.523	Length (in.): 240 NYTME (km.): 584.333	Width (in.): 154 Building: PIER 1
Emission Point: 0GT36 Height (ft.): 57	Length (in.): 240	Width (in.): 154 Building: PIER 1
Emission Point: 0GT37 Height (ft.): 57 NYTMN (km.): 4501.523	Length (in.): 240 NYTME (km.): 584.333	Width (in.): 154 Building: PIER 1
Emission Point: 0GT38 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
Emission Point: OSD11 Height (ft.): 37	Diameter (in.): 8		Building: PIER 1
Emission Point: OSD12 Height (ft.): 37	Diameter (in.): 8		Building: PIER 1
Emission Point: OSD13 Height (ft.): 37	Diameter (in.): 8		Building: PIER 1
Emission Point: OSD14 Height (ft.): 37	Diameter (in.): 8		Building: PIER 1
Emission Point: OSD15 Height (ft.): 37	Diameter (in.): 8		Building: PIER 1
Emission Point: OSD16 Height (ft.): 37	Diameter (in.): 8		Building: PIER 1



Emission Point: OSD17 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD18 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD21 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD22 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD23 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD24 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD25 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD26 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD27 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD28 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD31 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD32 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD33 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1



Emission Point: OSD34 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD35 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD36 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD37 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD38 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD41 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD42 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD43 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD44 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD45 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD46 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD47 Height (ft.): 37	Diameter (in.): 8	Building: PIER 1
Emission Point: OSD48 Height (ft.): 37	Diameter (in.): 8	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:6 NYCRR Subpart 201-6

Item 41.1(From Mod 2):

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

Emission Unit: G-00001

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 2):

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

Emission Unit: G-00001
Process: GAS Source Classification Code: 2-01-002-01
Process Description:
One (1) LMS100 Combustion Turbine/ Electric Generator
rated at 885.8 MMBTU/hr firing natural gas. This process
covers the combustion of Natural Gas in this turbine.

Emission Source/Control: LMS01 - Combustion
Design Capacity: 885.8 million Btu per hour

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

Emission Source/Control: LMSOC - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: LMSWI - Control
Control Type: WATER INJECTION

Item 41.3(From Mod 2):

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

Emission Unit: G-00001
Process: OGT Source Classification Code: 2-01-001-09
Process Description:
This process include 16 turbines of 299mm btu/hr burning
natural gas or oil.

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 2):

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

Emission Unit: G-00001

Process: OIL

Source Classification Code: 2-01-001-01

Process Description:

One (1) LMS100 Combustion Turbine/ Electric Generator rated at 839.2 MMBTU/hr firing ULSD. This process covers the combustion of ultr low sulfur diesel(ULSD) in this turbine.

Emission Source/Control: LMS01 - Combustion
Design Capacity: 885.8 million Btu per hour

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

Emission Source/Control: LMSOC - Control



Control Type: CATALYTIC OXIDATION

Emission Source/Control: LMSWI - Control

Control Type: WATER INJECTION

Item 41.5(From Mod 2):

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

Emission Unit: G-00001

Process: SEP

Source Classification Code: 2-01-001-02

Process Description:

This process includes 32 diesel starter engines rated at 600hp. Each 299mmbtu/hr turbine has a starter engine.

Emission Source/Control: OSD11 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD12 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD13 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD14 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD15 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD16 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD17 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD18 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD21 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD22 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD23 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD24 - Combustion

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD25 - Combustion

Design Capacity: 600 horsepower (mechanical)



Emission Source/Control: 0SD26 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD27 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD28 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD31 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD32 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD33 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD34 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD35 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD36 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD37 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD38 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD41 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD42 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD43 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD44 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD45 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD46 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: 0SD47 - Combustion
Design Capacity: 600 horsepower (mechanical)



Emission Source/Control: 0SD48 - Combustion
Design Capacity: 600 horsepower (mechanical)

Item 41.6(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 41.7(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 41.8(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 41.9(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:6 NYCRR Subpart 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-00001 Process: OGT
CAS No: 0NY210-00-0 (From Mod 2)
Name: OXIDES OF NITROGEN
PTE(s): 3,281 pounds per hour 764,000 pounds per year

Condition 2-16: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR 200.6

Item 2-16.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001



Item 2-16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For the purpose of determining the hourly PM_{2.5} emission rate (while burning ULSD) from the 32 turbines (0GT11-0GT18 & 0GT41-0GT48 and 0GT21-0GT28 & 0GT31-0GT38) the permittee shall submit to the Department, within 60 days of the permit, an approvable emissions testing protocol outlining the sampling and analytical procedures. The testing shall include at least one oil-fired only unit and one gas/oil-fired unit.

Within 30-days of approval by the Department of the emissions testing protocol, the permittee shall provide, in writing, the proposed time and date of the emissions test(s). Testing must be completed no later than two months after acceptance of the emissions testing protocol by the Department.

The permittee shall submit the emission test report in triplicate to the Department within 45-days after the completion of tests.

Within 30-days of acceptance of the PM_{2.5} emissions test data, the permittee shall provide a modeled demonstration that the facility meets the PM_{2.5} national ambient air quality standards (NAAQS) utilizing the tested PM_{2.5} rates.

Within 180-days of permit issuance, the permittee shall submit an alternative scheme to the stack testing method for the demonstration of compliance with the PM_{2.5} NAAQS. The alternative will be implemented in the event that the stack testing data still indicates projected exceedences of the ambient PM_{2.5} NAAQS. The alternative scheme shall identify specific measures necessary for NAAQS compliance demonstration. If the alternative involves a permit modification, such a modified permit shall be submitted within 60 days of DEC's approval of the stack test report. Otherwise, the alternative shall be implemented no later than 60 days after the stack test report is approved by DEC.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-17: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6



Item 2-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 2-17.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

Sulfur content in fuel oil used at the facility shall be limited to 15 ppm. A log of the sulfur content in oil per delivery must be maintained onsite for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ULTRA LOW SULFUR DIESEL FUEL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 15 parts per million by weight

Reference Test Method: EPA Approved

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-18: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 2-18.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL



DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Beginning with the effective date of this permit, the permittee must comply with the following during the term of the permit:

1. The sulfur content of all deliveries of fuel oil to the facility shall be limited to 15 ppm (referred to as ultra low sulfur diesel (ULSD)).
2. A log of the sulfur content in oil per tank will be submitted to the Department on a quarterly basis.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ULTRA LOW SULFUR DIESEL FUEL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 15 parts per million by weight

Reference Test Method: EPA approved method

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 2-19: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-19.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Item 2-19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Once during the permit term, facility must perform stack test on the 32 turbines(0GT21-0GT28 >31-0GT38 and 0GT11-18 & 0GT41-0GT48) to determine NO_x emission factors used in capping calculation.

Stack testing shall also be used to verify compliance of NO_x emissions from these turbines with the most current version of the system-wide averaging plan (NO_x RACT Compliance and Operating Plan), submitted by Astoria Generating Company. All stack testing shall be done in accordance with 6NYCRR 227-2.6(c).



For the emission factors to be approved, facility must submit to the Department an approvable stack test protocol at least 30 days prior to the test. Facility must perform stack test based on approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

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 4/30/2010.

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

Condition 2-20: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-20.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Item 2-20.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-21: Sulfur in fuel exception reporting
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-21.1:

This Condition applies to Emission Unit: G-00001



Item 2-21.2:

Source owners subject to 6 NYCRR Part 225-1.7 must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, or of measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such excesses if known, for the calendar quarter.

Condition 2-22: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-22.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001
Process: D01

Item 2-22.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

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

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department



determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-23: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-23.1:

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

Emission Unit: G-00001
Process: D01

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

Item 2-23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the 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.



3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-24: Capping Monitoring Condition
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 2-24.1:

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:

6 NYCRR Subpart 231-2
40 CFR 52.21

Item 2-24.2:

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

Item 2-24.3:

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 2-24.4:

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 2-24.5:



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 2-24.6:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001
Process: OGT

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

Item 2-24.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Emission Sources: 0GT21- 0GT28, 0GT31- 0GT38

Total annual NOX emissions from 16 existing turbines is limited to 382 tons per year.

Facility must calculate the total yearly NOx emissions based on fuel usage, and emission factors derived from the most recent stack tests. All records must be maintained at the facility for a minimum period of five years.

The regional air pollution control engineer must be notified in writing within (10) ten 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: MONTHLY
Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-25: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-25.1:

The Compliance Certification activity will be performed for:



Emission Unit: G-00001

Process: OGT

Item 2-25.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

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

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.



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

Condition 2-26: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-26.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Process: OGT

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from the stationary combustion installations in this process while burning oil shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the 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.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA approved Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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



Condition 2-27: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-27.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Process: OIL

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the 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.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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



Condition 2-28: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-28.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Process: SEP

Item 2-28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The total annual operation of 32 starter engines(OSD11-0SD18, 0S21-SD28, 0SD31-0SD38 & 0S41-0D48) in this process is limited to 2560 hours(Engine NOx AP42 emission factor 0.01lbs/hp-hr). Thus the total annual emissions of NOx from these units will be less than 25 tpy threshold for PSD or New source review applicability. Monthly total operating hours shall be maintained at the facility, and all the records shall be kept at the facility for a minimum of five years.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-29: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-29.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Process: SEP

Item 2-29.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent



opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

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

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-30: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-30.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001



Process: SEP

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the 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.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-31: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-31.1:

The Compliance Certification activity will be performed for:



Emission Unit: G-00001

Emission Point: 00100

Item 2-31.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

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

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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



Condition 2-32: EPA Region 2 address.

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 2-32.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-32.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

Condition 2-33: Date of Construction Notification - if a COM is used.

Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-33.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-33.2:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, postmarked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the



change is specifically exempted under 40 CFR 60. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, postmarked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

Condition 2-34: Recordkeeping requirements.

Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-34.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-34.2:

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

Condition 2-35: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-35.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Item 2-35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be postmarked no later than 30 calendar days



following the end of the reporting period, and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-36: Performance testing timeline.

Effective between the dates of 10/21/2009 and 02/26/2013

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

Item 2-36.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-36.2:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 2-37: Availability of information.

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 2-37.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-37.2:



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

Condition 2-38: Circumvention.

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 2-38.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-38.2:

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

Condition 2-39: Monitoring requirements.

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 2-39.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-39.2:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 2-40: Modifications.

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 2-40.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-40.2:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 2-41: Reconstruction.

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 2-41.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100



Item 2-41.2:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 2-42: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 40CFR 60.4330, NSPS Subpart KKKK

Item 2-42.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100

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

Item 2-42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The emission limit for sulfur dioxide from a stationary combustion turbine is 0.060 lb SO₂/MMBtu heat input. If the turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 0.060 pounds per million Btus

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-43: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 40CFR 60.4345, NSPS Subpart KKKK

Item 2-43.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Item 2-43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the option to use a NO_x CEMS is chosen:

(a) Each NO_x diluent CEMS must be installed and certified according to Performance Specification 2 (PS 2) in appendix B to 40 CFR 60, except the 7-day calibration drift is based on unit operating days, not calendar days. With state approval, Procedure 1 in appendix F to this part is not required. Alternatively, a NO_x diluent CEMS that is installed and certified according to appendix A of part 75 of this chapter is acceptable for use under this subpart. The relative accuracy test audit (RATA) of the CEMS shall be performed on a lb/MMBtu basis.

(b) As specified in §60.13(e)(2), during each full unit operating hour, both the NO_x monitor and the diluent monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained with each monitor for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required for each monitor to validate the NO_x emission rate for the hour.

(c) Each fuel flowmeter shall be installed, calibrated, maintained, and operated according to the manufacturer's instructions. Alternatively, with state approval, fuel flowmeters that meet the installation, certification, and quality assurance requirements of appendix D to part 75 of this chapter are acceptable for use under this subpart.



(d) Each watt meter, steam flow meter, and each pressure or temperature measurement device shall be installed, calibrated, maintained, and operated according to manufacturer's instructions.

(e) The owner or operator shall develop and keep on-site a quality assurance (QA) plan for all of the continuous monitoring equipment described in paragraphs (a), (c), and (d) of this section. For the CEMS and fuel flow meters, the owner or operator may, with state approval, satisfy the requirements of this paragraph by implementing the QA program and plan described in section 1 of appendix B to part 75 of this chapter

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-44: Excess emissions identification using a CEM
Effective between the dates of 10/21/2009 and 02/26/2013**

Applicable Federal Requirement:40CFR 60.4350, NSPS Subpart KKKK

Item 2-44.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-44.2: The procedures specified in 40 CFR 60.4350 shall be used to identify excess emissions from data supplied by a continuous emissions monitor.

**Condition 2-45: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013**

Applicable Federal Requirement:40CFR 60.4355, NSPS Subpart KKKK

Item 2-45.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100

Item 2-45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For affected units that are also subject to part 75 of this chapter and that have state approval to use the low mass emissions methodology in §75.19 or the NOX emission measurement methodology in appendix E to part 75, you may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a QA plan, as described in §75.19(e)(5) or in section 2.3 of appendix E to part 75 of this chapter and section 1.3.6 of appendix B to part 75 of this chapter.



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-46: Total sulfur content in fuel used in a combustion turbine Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4360, NSPS Subpart KKKK

Item 2-46.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-46.2: The total sulfur content of the fuel being fired in the turbine must be monitored, except as provided in §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17), which measure the major sulfur compounds, may be used.

Condition 2-47: Compliance Certification Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4370, NSPS Subpart KKKK

Item 2-47.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100

Item 2-47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The frequency of determining the sulfur content of the fuel must be as follows:

(a) Fuel oil. For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (i.e. , flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank).

(b) Gaseous fuel. If you elect not to demonstrate sulfur content using options in §60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-48: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4375, NSPS Subpart KKKK

Item 2-48.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Item 2-48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content under this subpart, you must submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

(b) For each affected unit that performs annual performance tests in accordance with §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-49: NOx testing requirements
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4400, NSPS Subpart KKKK

Item 2-49.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-49.2: The testing requirements for emissions of NOx are specified in 40 CFR 60.4400 and must be implemented for this facility.

Condition 2-50: Initial performance test for facilities with NOx diluent CEMS

Effective between the dates of 10/21/2009 and 02/26/2013



Applicable Federal Requirement:40CFR 60.4405, NSPS Subpart KKKK

Item 2-50.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-50.2: If you elect to install and certify a NO_x-diluent CEMS under §60.4345, then the initial performance test required under §60.8 may be performed in the following alternative manner:

- (a) Perform a minimum of nine RATA reference method runs, with a minimum time per run of 21 minutes, at a single load level, within plus or minus 25 percent of 100 percent of peak load. The ambient temperature must be greater than 0 °F during the RATA runs.
- (b) For each RATA run, concurrently measure the heat input to the unit using a fuel flow meter (or flow meters) and measure the electrical and thermal output from the unit.
- (c) Use the test data both to demonstrate compliance with the applicable NO_xemission limit under §60.4320 and to provide the required reference method data for the RATA of the CEMS described under §60.4335.
- (d) Compliance with the applicable emission limit in §60.4320 is achieved if the arithmetic average of all of the NO_xemission rates for the RATA runs, expressed in units of ppm or lb/MWh, does not exceed the emission limit.

Condition 2-51: Testing requirements for sulfur dioxide

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4415, NSPS Subpart KKKK

Item 2-51.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-51.2: The testing requirements for sulfur dioxide emissions are specified in 40 CFR 60.4415 and must be implemented for this facility.

Condition 2-52: Facility Subject to Title IV Acid Rain Regulations and Permitting

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40 CFR Part 72

Item 2-52.1:

This Condition applies to:

Emission Unit: G00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

Emission Unit: G00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

Item 2-52.1:

This Condition applies to Emission Unit: G-00001 Emission Point: 00100

Item 2-52.2.3:

This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75,



76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

Condition 2-53: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4325, NSPS Subpart KKKK

Item 2-53.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS

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

Item 2-53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

LMS100 turbine NOx emissions are limited to 15 parts per million by volume (dry, corrected to 15% O₂) when burning gas. A CMS shall monitor, measure and record LMS100 NOx emissions in stack.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

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

Reference Test Method: Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-54: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-54.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

Item 2-54.2:



Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

Start-up of LMS100 turbine shall not exceed 30 minute from the point that the combustion turbine begins firing fuel.

The owner or operator shall record the date and time of each period of start-up. A report consisting of the recorded information shall be submitted to the Department quarterly with the required excess emission report.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-55: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-55.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: GAS

Emission Source: LMS01

Item 2-55.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

LMS100 turbine shutdown shall not exceed the 30 minutes from the point when the stop signal is initiated to when fuel is no longer being combusted in the engine or a subsequent start is initiated, not to exceed 30 minutes per occurrence. The owner or operator shall record the date and time of each period of shutdown. A report consisting of the recorded information shall be submitted to the Department quarterly with the required excess emission report.

Parameter Monitored: DURATION OF SHUTDOWN



Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-56: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-56.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: GAS

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 0NY075-02-5 PM 2.5

Item 2-56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

PM 2.5 emissions of LMS100 must be limited to 8.5 pounds per hour.

Once during the permit term, facility must perform stack test of LMS100 emissions to demonstrate compliance with the permit limit. At least 30 days prior to the test, facility must submit to the Department an approvable stack test protocol. Facility must perform stack test based on approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

Parameter Monitored: PM 2.5

Upper Permit Limit: 8.5 pounds per hour

Reference Test Method: EPA Approved Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-57: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013



Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-57.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

Regulated Contaminant(s):
CAS No: 0NY075-02-5 PM 2.5

Item 2-57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

PM 2.5 emissions of LMS 100 turbine must be limited to 0.01710 pounds per million Btus.

Once during the permit term, facility must perform stack test of LMS100 emissions to demonstrate compliance with the permit limit. At least 30 days prior to the test, facility must submit to the Department an approvable stack test protocol. Facility must perform stack test based on approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

Parameter Monitored: PM 2.5

Upper Permit Limit: 0.01710 pounds per million Btus

Reference Test Method: EPA Approved Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-58: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-58.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

Regulated Contaminant(s):



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

Item 2-58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The NOx limit 6.7 pounds per shut down period applies to LMS100 turbine firing natural gas. The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at the facility for at least five years.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 6.7 pounds

Reference Test Method: EPA Approved Method or 7E

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-59: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-59.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: GAS

Emission Source: LMS01

Regulated Contaminant(s):

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

Item 2-59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 turbine NOx emissions are limited to 8.09 pounds per hour. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement



of oxides of nitrogen.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 8.09 pounds per hour
Reference Test Method: EPA METHOD 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-60: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-60.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001	Emission Point: 00100
Process: GAS	Emission Source: LMS01

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

Item 2-60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 turbine NOx emissions are limited to 2.5 parts per million by volume (dry, corrected to 15% O₂) firing gas. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of oxides of nitrogen.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: EPA Method 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.



The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-61: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-61.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

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

Item 2-61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 turbine NOx emissions are limited to 0.00913 pounds per million btus. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of oxides of nitrogen.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.00913 pounds per million Btus
Reference Test Method: EPA METHOD 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-62: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-62.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100



Process: GAS

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 turbine carbon monoxide emissions are limited to 0.0133 pounds per million btus. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of carbon monoxide.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.0133 pounds per million Btus

Reference Test Method: EPA Method 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 2-63: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-63.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: GAS

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 2-63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial



operation of the LMS100 turbine:

The LMS100 turbine ammonia emissions are limited to 6 pounds per hour in this process. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of ammonia.

Manufacturer Name/Model Number: CEMS
Parameter Monitored: AMMONIA
Upper Permit Limit: 6.0 pounds per hour
Reference Test Method: EPA approved method
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-64: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-64.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001	Emission Point: 00100
Process: GAS	Emission Source: LMS01

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

Item 2-64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 ammonia emissions are limited to 5.0 parts per million by volume (dry, corrected to 15% O₂). This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of ammonia.

Manufacturer Name/Model Number: CEMS



Parameter Monitored: AMMONIA
Upper Permit Limit: 5.0 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: EPA Approved Method
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-65: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-65.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

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

Item 2-65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The CO limit 17.15 pounds per shut down period applies to LMS100 turbine while firing natural gas. The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at the facility for at least five years.

Manufacturer Name/Model Number: CO Analyzer
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 17.15 pounds
Reference Test Method: Method 10 or EPA Approved Method
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-66: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6



Item 2-66.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

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

Item 2-66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The CO limit 14.15 pounds per start up period applies to LMS100 while firing natural gas. The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at the facility for at least five years.

Manufacturer Name/Model Number: CO Analyzer
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 14.15 pounds
Reference Test Method: EPA Method 10 or EPA approved
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-67: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-67.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: GAS Emission Source: LMS01

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

Item 2-67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:



LMS100 turbine carbon monoxide emissions is limited 11.82 pounds per hour. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of carbon monoxide.

Manufacturer Name/Model Number: CO analyzer
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 11.82 pounds per hour
Reference Test Method: EPA METHOD 10
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-68: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-68.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001	Emission Point: 00100
Process: GAS	Emission Source: LMS01

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

Item 2-68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The NOx limit 5.7 pounds per start up period applies to LMS100 while firing natural gas. The emissions in excess of this limit shall be reported in the excess emissions report. All records shall be maintained at the facility for at least five years.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5.7 pounds
Reference Test Method: EPA approved method or 7E
Monitoring Frequency: CONTINUOUS



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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-69: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:40CFR 60.4325, NSPS Subpart KKKK

Item 2-69.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL

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

Item 2-69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS 100 NOx emissions are limited to 42 parts per million by volume (dry, corrected to 15% O₂) while burning oil. A CEMS will monitor, measure and record LMS100 NOx emissions in stack.

Facility must install, calibrate, maintain and operate Continuous emission monitoring System(CEMS) to measure and record LMS100 NOx emissions in stack.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 42 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: METHOD 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-70: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-70.1:



The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: OIL

Emission Source: LMS01

Item 2-70.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

Once 15 start-ups and 15 shutdowns have occurred for LMS100 turbine firing distillate oil, the owner or operator shall submit start-up and shutdown emission data with an application for permit modification. This data will be used to establish enforceable combustion turbine start-up and shutdown emission limits for CO, NO_x during oil firing.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-71: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-71.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: OIL

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 2-71.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

CEMS shall monitor fuel flow. Fuel sulfur content will be confirmed by AGC as required by 6 NYCRR 225.

Parameter Monitored: SULFUR

Upper Permit Limit: 1.29 pounds per hour



Reference Test Method: EPA METHOD 6C
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 2-72: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-72.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

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

Item 2-72.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

AGC shall continuously monitor fuel flow to the LMS100 turbine with a CEMS that will provide the heat input to the unit on an hourly basis.

Parameter Monitored: LEAD

Upper Permit Limit: 0.012 pounds per million Btus

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-73: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-73.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01



Regulated Contaminant(s):

CAS No: 0NY075-02-5 PM 2.5

Item 2-73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 PM 2.5 emissions shall be limited to 0.03507 pounds per mmbtu.

Once during the permit term, facility must perform stack test of LMS100 emissions to demonstrate compliance with the permit limit. At least 30 days prior to the test, facility must submit to the Department an approvable stack test protocol. Facility must perform stack test based on approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

Parameter Monitored: PM 2.5

Upper Permit Limit: 0.03507 pounds per million Btus

Reference Test Method: EPA approved method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-74: Compliance Certification

Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-74.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: OIL

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 0NY075-02-5 PM 2.5

Item 2-74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:



This condition will become effective upon the commercial operation of the LMS100 turbine:

PM 2.5 emissions shall be limited to 28.83 pounds per hour.

Once during the permit term, facility must perform stack test of LMS100 emissions to demonstrate compliance with the permit limit. At least 30 days prior to the test, facility must submit to the Department an approvable stack test protocol. Facility must perform stack test based on approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

Parameter Monitored: PM 2.5

Upper Permit Limit: 28.83 pounds per hour

Reference Test Method: EPA Approved Method

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-75: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-75.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: OIL

Emission Source: LMS01

Regulated Contaminant(s):

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

Item 2-75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 turbine NO_x emissions shall be limited 3.5 parts per million by volume (dry, corrected to 15% O₂). This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and



operate a continuous emissions monitor for the measurement of oxides of nitrogen.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 3.5 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: EPA METHOD 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-76: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-76.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

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

Item 2-76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 turbine NOx emissions must be limited 11.42 pounds per hour. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of oxides of nitrogen.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 11.42 pounds per hour
Reference Test Method: EPA METHOD 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.



The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-77: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-77.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

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

Item 2-77.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 NOx emissions shall be limited 0.0136 pounds/mmbtu. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of oxides of nitrogen.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.0136 pounds per million Btus
Reference Test Method: EPA Method 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-78: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-78.1:

The Compliance Certification activity will be performed for:



Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

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

Item 2-78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

The LMS100 ammonia emissions shall be limited 12.1 pounds per hour when firing oil. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of ammonia.

Manufacturer Name/Model Number: CEMS
Parameter Monitored: AMMONIA
Upper Permit Limit: 12.1 pounds per hour
Reference Test Method: EPA Approved Method
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-79: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 2-79.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

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

Item 2-79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial



operation of the LMS100 turbine:

The LMS100 ammonia emissions shall be limited 10 parts per million by volume (dry, corrected to 15% O₂). This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of ammonia.

Manufacturer Name/Model Number: CEMS

Parameter Monitored: AMMONIA

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

Reference Test Method: EPA Approved Method

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-80: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-80.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001

Emission Point: 00100

Process: OIL

Emission Source: LMS01

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-80.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

LMS100 turbine carbon monoxide emissions shall be limited 11.92 pounds per hour. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of carbon monoxide.

Manufacturer Name/Model Number: CO analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 11.92 pounds per hour



Reference Test Method: EPA METHOD 10
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 2-81: Compliance Certification
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 2-81.1:

The Compliance Certification activity will be performed for:

Emission Unit: G-00001 Emission Point: 00100
Process: OIL Emission Source: LMS01

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

Item 2-81.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition will become effective upon the commercial operation of the LMS100 turbine:

LMS100 carbon monoxide emissions shall be limited 0.0142 pounds per million btus. This limit shall apply only during periods of steady state of operation.

The permittee shall install, calibrate, maintain and operate a continuous emissions monitor for the measurement of carbon monoxide.

Manufacturer Name/Model Number: CO analyzer
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.0142 pounds per million Btus
Reference Test Method: EPA Method 10 or EPA Approved
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 3 calendar month(s).



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 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: 007446-09-5
Name: SULFUR DIOXIDE

CAS No: 007664-41-7
Name: AMMONIA

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

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

CAS No: 0NY075-02-5
Name: PM 2.5

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: 6 NYCRR 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 superseded 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 2-82: Unavoidable noncompliance and violations
Effective between the dates of 10/21/2009 and 02/26/2013**

Applicable State Requirement: 6 NYCRR 201-1.4

Item 2-82.1:

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 superseded 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:6 NYCRR 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.

Condition 2-83: Air pollution prohibited
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable State Requirement:6 NYCRR 211.2

Item 2-83.1:

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

Condition 2-84: CO2 Budget Trading Program - Excess emission requirements
Effective between the dates of 10/21/2009 and 02/26/2013



Applicable State Requirement:6 NYCRR 242-1.5

Item 2-84.1:

The owners and operators of a CO₂ budget source that has excess emissions in any control period shall:

- (1) forfeit the CO₂ allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO₂ offset allowances may not be used to cover any part of such excess emissions; and
- (2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).

Condition 2-85: Compliance Demonstration
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable State Requirement:6 NYCRR 242-1.5

Item 2-85.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-85.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- (1) The owners and operators of each CO₂ budget source and each CO₂ budget unit at the source shall hold CO₂ allowances available for compliance deductions under Section 242-6.5, as of the CO₂ allowance transfer deadline, in the source's compliance account in an amount not less than the total CO₂ emissions for the control period from all CO₂ budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.
- (2) Each ton of CO₂ emitted in excess of the CO₂ budget emissions limitation shall constitute a separate violation of this Part and applicable state law.
- (3) A CO₂ budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.
- (4) CO₂ allowances shall be held in, deducted from, or



transferred among CO2 Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

Condition 2-86: Compliance Demonstration
Effective between the dates of 10/21/2009 and 02/26/2013

Applicable State Requirement: 6 NYCRR 242-1.5

Item 2-86.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-86.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2010.

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

