

New York State Department of Environmental Conservation
Facility DEC ID: 2620200032



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6202-00032/00013
Effective Date: 04/22/2002 Expiration Date: 04/21/2007

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

Contact: OLEG KROTOFF
4 IRVING PLACE
ROOM 828
NEW YORK, NY 10003
(212) 460-4413

Facility: CON ED-59TH ST STA
850 12TH AVENUE
NEW YORK, NY 10019

Contact: OLEG KROTOFF
4 IRVING PLACE
ROOM 828
NEW YORK, NY 10003
(212) 460-4413

Description:

This is a Title V permit for an existing electric and steam generating facility. The facility operates two (2) Very Large boilers, each rated at 805 MMBtu/hr boilers, three (3) Large boilers, each rated at 180 MMBtu/hr boilers, and one (1) 220 MMBtu/hr combustion turbine. The boilers burn residual oil as well as natural gas. The combustion turbine burns distillate oil. The facility's emissions exceed the major source pollutant thresholds listed in 6NYCRR Subpart 201-6 and, as such, the facility is subject to the provisions of Title V.

The facility's emissions of nitrogen oxide (NOx) are averaged with other facilities owned by Consolidated Edison, according to a system-wide averaging plan approved by the Department, to verify compliance with the provisions of 6NYCRR Subpart 227-2. In the Very Large boilers, NOx emissions are controlled with the use of off-stoichiometric firing; in the Large boilers, Low Excess air is used to control NOx emissions. Even though the facility is not subject to Title IV - Acid Rain (40 CFR Part 72-75), flow monitors are employed and NOx emission rates are calculated using the procedures in Part 75.

The facility, in addition to other facilities owned by the Consolidated Edison Co. of NY (Con Ed), is subject to the terms of Consent Order D2-0003-97-6, which is attached to this permit. This Order establishes a program to prevent and detect violations of the opacity provisions of 6NYCRR Part 227.

FINAL



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As required by Appendix A of the Order, Con Ed submits "Opacity Incident" reports which document opacity exceedances at their facilities. At each facility, Con Ed performs, on an ongoing basis, a boiler component opacity reduction preventive maintenance program. In addition, as required by the Order, Con Ed submits for all their facilities, a quarterly report which include the following reports: an Opacity Reduction Quarterly Progress Report; a Stack Opacity Audit for the quarter; and, a quarterly Opacity Exceedance Report.

The 59th Street facility currently has no "affected units" under 40 CFR 72 and is, therefore, not subject to the provisions of the Acid Rain Program. A boiler 110 was subject to 40 CFR 72 but is now retired. The facility's boilers generate only steam and no electricity. The combustion turbine, however, is connected to a generator which is rated at 20 MW during the winter months. Since the facility has two (2) boilers with heat inputs in excess of 250 MMBtu/hr and a turbine which serves a generator with a capacity greater than 15 MW, the facility is subject to the NOx Budget Trading and Allowance provisions of 6NYCRR Parts 204 and 227-3, respectively.

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
 ONE HUNTERS POINT PLAZA
 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non 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 acts.

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

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Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2

HEADQUARTERS



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 3: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 3.1:

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

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

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

Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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

Permit Effective Date: 04/22/2002

Permit Expiration Date: 04/21/2007



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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: False statement
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 200.3

Item 1.1:

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

Condition 2: Sealing
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 200.5

Item 2.1:

(a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

(b) No person shall operate any air contamination source sealed by the commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 3: Acceptable ambient air quality
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 200.6

Item 3.1:

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 4: Maintenance of equipment
Effective between the dates of 04/22/2002 and 04/21/2007

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Applicable Federal Requirement: 6NYCRR 200.7

Item 4.1:

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 5: Unpermitted Emission Sources
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 5.1:

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Condition 6: Emergency Defense
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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



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(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.

Condition 7: Recycling and Salvage
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 7.1:

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 6 NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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 9: Public Access to Recordkeeping for Title V facilities
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 9.1:

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

Condition 10: Statement of Applicability to Regulation
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-3.

Item 10.1:



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The requirements of 6 NYCRR Subpart 201-3 apply to all exempt and trivial activities at this facility.

Condition 11: Proof of Eligibility
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 11.1:

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 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 12: Proof of Eligibility
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 12.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 13: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 13.1:

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

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the



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federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 13.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**Condition 14: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 14.1:

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.

**Condition 15: Compliance Requirements
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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 the responsible official, consistent with Section 201-6.3 of Part 201.

Item 15.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.



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Item 15.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. 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 16: Federally-Enforceable Requirements
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

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.

Condition 17: Fees
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

The permittee shall pay the required fees associated with this permit.

Condition 18: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, 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 19: Permit Revocation, Modification, Reopening, Reissuance or



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**Termination, and Associated Information Submission
Requirements**

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

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 relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee 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. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 20: Permit Shield

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, 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.

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Condition 21: Property Rights
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

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

Condition 22: Reopening for Cause
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

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.

Item 22.2:

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.

Item 22.3:

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.

Condition 23: Right to Inspect
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.



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Item 23.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility 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 facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 24: Severability

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

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.

Condition 25: Emission Unit Definition

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 25.1:

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

Emission Unit: 5-90005

Emission Unit Description:

One (1) simple cycle combustion turbine utilized to generate electricity. The turbine burns only distillate oil.

Building(s): BOILERHS

Item 25.2:

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

Emission Unit: 5-90020

Emission Unit Description:

Very large boilers 114 and 115 and large boilers 116, 117 and 118. All boilers have the capability to burn residual oil and will have the capability to burn natural gas.



Building(s): BOILERHS

Condition 26: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: 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,

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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



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that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 27: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 27.1:
The Compliance Certification activity will be performed for the Facility.

Item 27.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Compliance certifications shall contain the following information:

- 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

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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.

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.

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



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Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/03.

Subsequent reports are due on the same day each year

Condition 28: Permit Exclusion Provisions

Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 28.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 29: Non Applicable requirements

Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 29.1:

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



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Condition 30: Required emissions tests
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 30.1:

An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Condition 31: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

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:

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 32: Recordkeeping requirements
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 32.1:

(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.

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Condition 33: Permit requirements.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 33.1: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

Condition 34: Submissions to the Department.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 34.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.1(e)(1)) by the NOx authorized account representative.

Condition 35: Contents of reports and compliance certifications.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 35.1: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NOx Budget unit; and
- (2) In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx Budget units at the source in compliance with the NOx Budget Trading Program, whether each NOx Budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx Budget Trading Program applicable to the unit, including:
 - (i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
 - (ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
 - (iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report



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resubmissions has been made;

(iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and

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

0Condition 36: Discretionary report contents.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 36.1: At the NOx authorized account representative's option the following may be included in the compliance certification report:

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

Condition 37: Compliance Certification

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Item 37.2:

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 38: Submission of NOx allowance transfers.



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Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 38.1: The NO_x authorized account representatives seeking recordation of a NO_x allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NO_x allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 39: General provisions.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 39.1: The owners and operators, and to the extent applicable, the NO_x authorized account representative of a NO_x Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NO_x Budget unit," "NO_x authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

Condition 40: Prohibitions.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 40.1: No owner or operator of a NO_x Budget unit or a non-NO_x Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

- (1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
- (2) operate the unit so as to discharge, or allow to be discharged, NO_x emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;
- (3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NO_x mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and
- (4) permanently discontinue use of the continuous emission monitoring system, any component thereof,



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or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:

- (i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or
- (ii) The NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 41: Requirements for installation, certification, and data accounting.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 41.1: 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 air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing 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 42: Requirements for recertification of monitoring systems.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 42.1: 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.

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Condition 43: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 43.1:

The Compliance Certification activity will be performed for the Facility.

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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 44: Out of control periods.
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 44.1: 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 45: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 45.1:

The Compliance Certification activity will be performed for the Facility.

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

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

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

The address for the BCME is as follows:

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

ACR changes should be sent to the attention of:

NYSDEC
Stationary Source Planning Section
Bureau of Air Quality Planning
625 Broadway, 2nd Floor

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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 46: Submittal of Episode Action Plans
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 207.

Item 46.1:

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 47: Visible emissions limited.
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 47.1:

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 48: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 48.1:

The Compliance Certification activity will be performed for the Facility.

Item 48.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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Except as permitted by a specific part of Title 6 of the NYCRR, 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.

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

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

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

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

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the



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stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 49: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 215.

Item 49.1:

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

Condition 50: Temporary variances.
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 225-1.4

Item 50.1:

Upon application by an air contamination source owner or a fuel supplier the commissioner may issue an order granting a temporary variance from the provisions of 6 NYCRR Part 225-1 where it can be shown, to the commissioner's satisfaction, that there is an insufficient supply of conforming fuel, either:

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

Condition 51: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 225-1.8

Item 51.1:

The Compliance Certification activity will be performed for the Facility.

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or oil shall submit reports to the

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commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: MONTHLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 5/30/02.

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

Condition 52: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 52.1:

The Compliance Certification activity will be performed for the Facility.

Item 52.2:

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

Reference Test Method: ASTM D4294

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: MONTHLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 5/30/02.

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

Condition 53: Compliance Certification



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Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 53.1:

The Compliance Certification activity will be performed for the Facility.

Item 53.2:

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 residual oil which has sulfur content greater than 0.30 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: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Reference Test Method: ASTM D4294

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: MONTHLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 5/30/02.

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

Condition 55: This condition states the facility is applicable to NOx RACT.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-2.1

Item 55.1:

This facility is subject to NOx RACT.

Condition 54: Contents of operating plans.

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-2.3(g)

Item 54.1:

Operating Plan: any owner or operator of a facility subject to this section must submit to the department,



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with the application(s) for certificate(s) to operate submitted according to subdivision (d) of this section, an operating plan, including an operating manual, acceptable to the department. This should at a minimum include:

- (1) A summary of the applicable standards and requirements of this Subpart and how this facility will comply, including any system averaging and any higher specific unit emission rates that may apply;
- (2) A description of the combustion process, including the procedures for the control of NO_x emissions;
- (3) Procedures for monitoring unit operating parameters;
- (4) Procedures for ash handling;
- (5) Procedures for monitoring emissions;
- (6) Reporting and recordkeeping procedures; and,
- (7) The name and title of operating personnel and, if applicable, their qualifications (e.g., licenses, certificates, education, training courses completed).

Condition 56: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 56.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 7/30/02.
Subsequent reports are due every 3 calendar month(s).

Condition 57: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

Item 57.1:

The Compliance Certification activity will be performed for the Facility.

Item 57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall submit a compliance test protocol to the Department for approval at least 90 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the the Department.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 58: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

Item 58.1:

The Compliance Certification activity will be performed for the Facility.

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of:

- 1) simple cycle combustion turbines shall utilize stack test Method 20 from 40 CFR Part 60, Appendix A;
- 2) combined cycle combustion turbine with a heat input rating of less than or equal to 250 mmBtu/hr shall utilize stack test Method, 7, 7E, 19, or 20 from 40 CFR Part 6, Appendix A; or
- 3) another stack test Method approved by the Department.



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Owners or operators of simple cycle combustion turbines or combined cycle combustion turbine with a heat input rate of 250 mmBtu/hr or less shall be required to perform either a stack test or other Department approved method, to determine compliance with their NO_x limit, once per the term of their permit.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 59: Authorized Account Representatives (AARs)
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-3.12

Item 59.1: Each budget source must designate an AAR, and may designate an alternate AAR, for each compliance account and compliance overdraft account.

Condition 60: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-3.13

Item 60.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Sources subject to 40 CFR Part 75. The owner and/or operator of each budget source subject to 40 CFR Part 75 shall demonstrate compliance with this Subpart by using a certified 40 CFR Part 75 monitoring system and is subject to the following requirements:

Budget sources which have a flow monitor certified under 40 CFR Part 75: NO_x emissions in lbs/hr shall be determined using a CEMS and the flow monitor and by multiplying together the figures resulting from application of the following two Subparagraphs:



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(i) The NO_x emission rate in lbs/mmBtu determined by using the procedure set forth in 40 CFR Part 75 Appendix F, Section 3.

(ii) The hourly heat input in mmBtu/hr determined by using the procedures set forth in 40 CFR Part 75 Appendix F, Section 5.

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 7/30/02.
Subsequent reports are due every 3 calendar month(s).

Condition 61: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-3.15

Item 61.1:

The Compliance Certification activity will be performed for the Facility.

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This budget source must submit to the Administrator, in a format which meets the requirements of the Administrator's Electronic Data Reporting convention, information regarding emissions and operations during each calendar quarter of each year in accordance with the procedures specified in the Guidance Document.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 62: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-3.16

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Item 62.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Each year during the period extending from November 1 through the allowance transfer deadline, December 31, this budget source may request the Administrator to deduct a number of allowances from the budget source's compliance account equal to the current year control period NO_x emissions from the budget source. The request must include identification of the compliance account from which the deductions should be made. The request may include the serial numbers of the particular allowances to be deducted. If no serial numbers are included, the Administrator will first deduct allowances allocated for the current year control period. If the Administrator exhausts all allowances allocated for the current year control period, the Administrator will next deduct banked allowances in the compliance account in the order in which they were deposited. The request may only involve allowances placed in the budget source's compliance account; allowances in a compliance overdraft account or general account may not be deducted pursuant to the request.

(b) If, by November 1 of the current year, the total number of allowances in the budget source's compliance account and compliance overdraft account, including allowance transfer requests properly submitted to the Administrator, is less than the current year control period NO_x emissions from the budget source, the budget source must obtain additional allowances by the allowance transfer deadline so that the total number of allowances in the compliance account and compliance overdraft account, including allowance transfer requests properly submitted to the Administrator by the allowance transfer deadline, at least equals the current year control period NO_x emissions rounded to the nearest whole ton. The Administrator will not consider for compliance purposes allowances contained in any general account held by the owner and/or operator of the budget source.

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(c) If, by the allowance transfer deadline, this budget source either makes no allowance deduction request or makes a request that is insufficient to meet the requirements of Subdivision 227-3.16(a), the Administrator will deduct a number of allowances from the budget source's compliance account and compliance overdraft account that equals the current year control period NOx emissions from the budget source. Under this Subdivision, the Administrator will deduct allowances in the following order:

- (1) Current year allowances from the compliance account in the order in which they were deposited.
- (2) Banked allowances in the compliance account in the order in which they were deposited.
- (3) Current year allowances from the compliance overdraft account in the order in which they were deposited.
- (4) Banked allowances from the compliance overdraft account in the order in which they were deposited.

(d) Any banked allowances deducted pursuant to this Section shall be deducted in accordance with the provisions of Section 227-3.9.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 63: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-3.17

Item 63.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) By December 31 of each year, this budget source must submit a compliance certification to the Department relating to the budget source's activities during the current year.

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- (b) The compliance certification shall contain, at a minimum:
- (1) identification of the budget source, including address of the budget source, name and address of the owner and/or operator, account numbers of the relevant compliance account and compliance overdraft account and the name of the AAR;
 - (2) a statement indicating whether NOx emissions data have been reported to the NETS in accordance with the procedures set forth in Section 227-3.15 and any additional procedures established by the Administrator;
 - (3) a statement indicating whether the budget source has a number of allowances in its compliance account or compliance overdraft account equal to or greater than the budget source's NOx emissions for the current year control period;
 - (4) a statement indicating whether the monitoring data reflected the actual operation of the budget source;
 - (5) a statement indicating whether all NOx emissions from the budget source were accounted for, either through the relevant monitoring or application of the appropriate missing data procedures; and
 - (6) a statement indicating whether there were any changes in the method of operation of the budget source or the method of monitoring the budget source during the current year.

(c) The Department may verify compliance by whatever means necessary, including, but not limited to, the following:

- (1) inspection of budget source operating records;
- (2) examining information contained in the NATS (NOx Allowance Tracking System) regarding allowance deductions and transfers for the budget source;
- (3) examining information contained in the NETS (NOx Emission Tracking System) regarding NOx emissions from the budget source;
- (4) testing emission monitoring devices; and,
- (5) testing conducted pursuant to 6 NYCRR Part 202.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 64: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
Effective between the dates of 04/22/2002 and 04/21/2007**



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Facility DEC ID: 2620200032

Applicable Federal Requirement: 6NYCRR 621.5(a)

Item 64.1:

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

**Condition 65: Submission of Applications for Permit Modification or
Renewal-REGION 2 HEADQUARTERS
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 621.13

Item 65.1:

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

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

**Condition 66: Permit Modifications, Suspensions, and Revocations by the
Department
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 621.14

Item 66.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

**Condition 67: Recycling and Emissions Reduction
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 40CFR 82, Subpart F



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Item 67.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

**Condition 68: Emission Point Definition By Emission Unit
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 68.1:

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

Emission Unit: 5-90005

Emission Point: GT001

Height (ft.): 119

Diameter (in.): 144

NYTMN (km.): 4514.023 NYTME (km.): 584.933 Building: BOILERHS

Item 68.2:

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

Emission Unit: 5-90020

Emission Point: 00001

Height (ft.): 507

Diameter (in.): 198

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NYTMN (km.): 4514.023 NYTME (km.): 584.933 Building: BOILERHS

Condition 69: Process Definition By Emission Unit
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 69.1:

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

Emission Unit: 5-90005

Process: GTD

Source Classification Code: 2-01-001-01

Process Description:

This process includes: one (1) combustion turbine, rated at 220 MMBtu/hr. This process covers the combustion of distillate oil in this turbine.

Emission Source/Control: GT001 - Combustion

Design Capacity: 220 million Btu per hour

Item 69.2:

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

Emission Unit: 5-90020

Process: NG1ab

Source Classification Code: 1-01-006-04

Process Description:

This process includes: Two (2) tangentially fired boilers (114 and 115) rated at 805 MMBtu/hr each and covers the combustion of natural gas in these boilers. NO_x emissions are controlled with the use of off-stoichiometric firing.

Emission Source/Control: 00114 - Combustion

Design Capacity: 805 million Btu per hour

Emission Source/Control: 00115 - Combustion

Design Capacity: 805 million Btu per hour

Item 69.3:

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

Emission Unit: 5-90020

Process: NG2

Source Classification Code: 1-01-006-01

Process Description:

This process includes: Three (3) normally fired boilers (116, 117 and 118) rated at 180 MMBtu/hr each and covers the combustion of natural gas in these boilers. NO_x emissions are controlled with the use of Low Excess air.



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Emission Source/Control: 00116 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00117 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00118 - Combustion
Design Capacity: 180 million Btu per hour

Item 69.4:

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

Emission Unit: 5-90020

Process: RO1

Source Classification Code: 1-01-004-04

Process Description:

This process includes: Two (2) tangentially fired boilers (114 and 115) rated at 805 MMBtu/hr each and covers the combustion of residual oil in these boilers. NOx emissions are controlled with the use of off-stoichiometric firing.

Emission Source/Control: 00114 - Combustion
Design Capacity: 805 million Btu per hour

Emission Source/Control: 00115 - Combustion
Design Capacity: 805 million Btu per hour

Item 69.5:

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

Emission Unit: 5-90020

Process: RO2

Source Classification Code: 1-01-004-01

Process Description:

This process includes: Three (3) normally fired boilers (116, 117 and 118) rated at 180 MMBtu/hr each and covers the combustion of residual oil in these boilers. NOx emissions are controlled with the use of Low Excess air.

Emission Source/Control: 00116 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00117 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00118 - Combustion
Design Capacity: 180 million Btu per hour

Condition 70: Compliance Certification

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Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: 5-90005

Item 70.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For the oil-fired Combustion Turbine, stack opacity shall not exceed 20 percent (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with this standard shall be determined with EPA Reference Method 9. For the turbine, the following shall be performed:

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

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

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

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for acceptance.

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

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 71: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: 5-90005 Emission Point: GT001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

- 1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,
- 2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and
- 3) all records shall be maintained at the facility for a



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minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 72: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

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

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: 5-90020

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Daily fuel usage shall be determined. Average electrical output & hourly generation rate must be measured. Heat content, sulfur content and ash content shall be determined for each fuel shipment. Quarterly reports of exceedances must be filed. All records must be retained for at least three years and furnished upon request of the commissioner.

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 73: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 73.1:

The Compliance Certification activity will be performed for:

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Emission Unit: 5-90020

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

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

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

- (1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- (2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- (4) The total time in which the COMS are required to record data during the reporting period;
- (5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time which the COMS are required to record data.

Manufacturer Name/Model Number: Land, Model# 4500



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Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR 60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 74: Compliance Plan
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 74.1:

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

Emission Unit: 5-90020

Consent Order: D2-0003-97
Progress Report Begin Date: 11/15/1997

Item 74.2:

Remedial Measure:

Schedule Date: 11/15/1997
Con Edison (CE) signed Consent Order No. D2-000397. CE shall comply with Appendix A of this Order which is attached to this Permit.

Condition 75: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)

Item 75.1:

This Condition applies to Emission Unit: 5-90020
Process: NG1 Emission Source: 00114

Item 75.2:

The owner/operator shall measure NO_x emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

Condition 76: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)



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Permit ID: 2-6202-00032/00013

Facility DEC ID: 2620200032

Item 76.1:

This Condition applies to Emission Unit: 5-90020
Process: NG1 Emission Source: 00115

Item 76.2:

The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

**Condition 77: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)

Item 77.1:

This Condition applies to Emission Unit: 5-90020
Process: RO1 Emission Source: 00114

Item 77.2:

The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

**Condition 78: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 04/22/2002 and 04/21/2007**

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)

Item 78.1:

This Condition applies to Emission Unit: 5-90020
Process: RO1 Emission Source: 00115

Item 78.2:

The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

**Condition 79: Compliance Certification
Effective between the dates of 04/22/2002 and 04/21/2007**

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

Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: 5-90020 Emission Point: 00001

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

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Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

- 1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,
- 2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and
- 3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

n0

Condition 80: Unavoidable noncompliance and violations
Effective between the dates of 04/22/2002 and 04/21/2007

Applicable State Requirement: 6NYCRR 201-1.4

Item 80.1:

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

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

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

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

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



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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 81: General Provisions

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable State Requirement: 6NYCRR 201-5.

Item 81.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 81.2:

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.

Item 81.3:

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.

Condition 82: Contaminant List

Effective between the dates of 04/22/2002 and 04/21/2007

Applicable State Requirement: 6NYCRR 201-5.3(b)

Item 82.1:

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

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

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

Condition 83: Air pollution prohibited

Effective between the dates of 04/22/2002 and 04/21/2007

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Applicable State Requirement: 6NYCRR 211.2

Item 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.