



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6204-00019/00006
Effective Date: 02/05/2008 Expiration Date: 02/04/2013

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 2-6204-00019/00011
Effective Date: 02/05/2008 Expiration Date: 02/04/2013

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

Facility: CON ED-74TH STREET STA
506 E 75TH ST
NEW YORK, NY 10021

Contact: FEMI OGUNSOLA
CONSOLIDATED EDISON CO OF NY INC
4 IRVING PL - RM 828
NEW YORK, NY 10003-3502
(212) 460-1223

Description:

This facility (**Con Ed-74th Street Station**) produces electricity and steam. The facility operates three very large boilers rated at 836 MM Btu/hr, six large boilers rated at 180 MM Btu/hr each, and two combustion turbines rated at 223 MM Btu/hr each. The very large boilers have been in operation since 1955, the large boilers have been in operation since 1977, and the turbines have been in operation since 1968. The boilers combust residual oil, and are permitted to combust natural gas. The turbines combust distillate oil. The sulfur content in the distillate and residual oils is regulated by 6 NYCRR Subpart 225-1 and the limits are 0.20% and 0.30% by weight, respectively.

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

Pursuant to the Phase II requirements of Title IV of the Clean Air Act Amendments of 1990 and 40 CFR Part 72.6(a)(3), the facility is required to apply for the Title IV (Phase II Acid Rain) permit in the Title V application.



This application is for a federal Title IV (Phase II Acid Rain) permit only. The facility has to comply with all compliance requirements of Acid Rain Rules (40 CFR Parts 72, Parts 73, Parts 75, Parts 77 and Parts 78).

The department has made a tentative determination to approve an application for a Title IV Acid Rain Permit renewal to this previously approved facility as required by 40 CFR Part 72 for the applicant's Con Ed - 74th Street Station, located at 503 East 74th Street in NYC, New York. Issuance of this permit will allow the Department to enforce the requirements of the Acid Rain Program. No emissions increase will result from permit issuance. Prior permits issued to this facility remain in force & include requirements for compliance with 6NYCRR Subpart 225-1 (Fuel Composition and Use-Sulfur Limitations) and 227-1 (Stationary Combustion Installations) and 227-2 (Reasonably Available Control Technology (RACT) for Oxides of Nitrogen. The applicant will be required to have sufficient SO₂ allowances in its possession to cover SO₂ emissions from this facility. The applicant shall submit annual compliance certification reports to the Department and the U.S. Environmental Protection Agency (USEPA). The applicant shall monitor, maintain and certify monitoring systems for opacity, SO₂ emissions, NO_x emissions, SO₂ removal (if applicable), CO₂ emissions and volumetric flow rates in accordance with the requirements of 40 CFR Part 75. In accordance with 6NYCRR Parts 621 & 201, the Administrator of the USEPA has the authority to bar issuance of this permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

The Title IV (Acid Rain) permit was included in the Title V's application and was initially issued on 5/17/1999 with an effective date of 5/17/1999 and an expiration date of 5/17/2004. The Title IV permit will be renewed so that its permit term corresponds to the permit term of the Initial Title V facility permit, which has an expiration date of 8/15/2006.

Nature of business at the facility:

Electric Power Generation
4911 [primary SIC] - Electric Services

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: JOHN F CRYAN
NYSDEC



47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ___ / ___ /



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

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



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 3: Relationship of this Permit to Other Department Orders and Determinations

Applicable State Requirement: ECL 3-0301 (2) (m)

Item 3.1:

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 5: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 5.1:

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

Item 5.2:

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

Item 5.3:

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



submitted prior to actual transfer of ownership.

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

Item 8.1:

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

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

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

Condition 11: Submission of application for permit modification or renewal - REGION 2

HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 11.1:

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

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

New York State Department of Environmental Conservation

Permit ID: 2-6204-00019/00006

Facility DEC ID: 2620400019



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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4 IRVING PL RM 828
NEW YORK, NY 10003-3502

Facility: CON ED-74TH STREET STA
506 E 75TH ST
NEW YORK, NY 10021

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

Permit Effective Date: 02/05/2008

Permit Expiration Date: 02/04/2013



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 22 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 14 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 15 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 16 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 17 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 19 6 NYCRR 211.3: Visible Emissions Limited
- 20 40 CFR Part 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 25 6 NYCRR 204-2.1: Submissions to the Department.
- 26 6 NYCRR 204-4.1: Compliance Certification
- 27 6 NYCRR 204-7.1: Submission of NOx allowance transfers.
- 28 6 NYCRR 204-8.3: Out of control periods.
- 29 6 NYCRR 207.3 (d): Compliance Certification
- 30 6 NYCRR 225-1.4: Temporary variances.
- 31 6 NYCRR 225.1 (a) (3): Compliance Certification
- 32 6 NYCRR 225.7 (a): Compliance Certification
- 33 6 NYCRR 227-2.5 (b): Compliance Certification
- 34 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

Emission Unit Level

- 35 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 36 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=7-40020

- 37 6 NYCRR 201-6.5 (e): Compliance Certification
- 38 6 NYCRR 204-1.6: Permits requirements.



- 39 6 NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 40 6 NYCRR 204-8.2: Compliance Certification
- 41 6 NYCRR 204-8.7: Compliance Certification

EU=7-40020,Proc=GTD

- 42 6 NYCRR 227-2.6 (c): Compliance Certification

EU=7-40020,EP=00001

- 43 6 NYCRR 227-1.2 (a) (1): Compliance Certification
- 44 6 NYCRR 227-1.2 (a) (1): Compliance Certification
- 45 6 NYCRR 227-1.3: Compliance Certification
- 46 6 NYCRR 227-1.3: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 47 ECL 19-0301: Contaminant List
- 48 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 49 6 NYCRR 211.2: Air pollution prohibited
- 50 6 NYCRR 238-1.6 (c): Compliance Demonstration
- 51 6 NYCRR 238-1.6 (e): Record keeping and Reporting Requirements
- 52 6 NYCRR 238-1.6 (f): Liability
- 53 6 NYCRR 238-2.1: Submissions to the Department
- 54 6 NYCRR 238-4.1: Compliance Demonstration
- 55 6 NYCRR 238-7.1: Submission of SO2 allowance transfers
- 56 6 NYCRR Subpart 238-8: Monitoring and Reporting requirements



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

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



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

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

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 200.6

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

Condition 2: Fees
Effective between the dates of 02/05/2008 and 02/04/2013

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

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

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 3.1:



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

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

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

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

Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 4.1:

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

Condition 5: Compliance Certification

Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum



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

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

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A



written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2008.
Subsequent reports are due every 6 calendar month(s).



Condition 6: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

New York State Department of Environmental Conservation

Permit ID: 2-6204-00019/00006

Facility DEC ID: 2620400019



iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

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

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway,



procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 11: Recycling and Salvage
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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

Condition 22: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 22.1:

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 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 12.1:

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

Condition 13: Trivial Sources - Proof of Eligibility
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 13.1:

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



(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 17: Off Permit Changes

Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 17.1:

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

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

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

Condition 18: Required Emissions Tests

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 18.1:

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

Condition 19: Visible Emissions Limited

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 211.3

Item 19.1:

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.

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Condition 20: Accidental release provisions.
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:40 CFR Part 68

Item 20.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
 - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
 - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr
Carrollton, Md. 20785

Condition 21: Recycling and Emissions Reduction
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:40CFR 82, Subpart F

Item 21.1:

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

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

Condition 23: Emission Unit Definition
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1:

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

Emission Unit: 7-40020

Emission Unit Description:

Very large boilers 120, 121 and 122, Large boilers 123



through 128 and Combustion Turbines 1 and 2. All boilers have the capability to burn residual oil and natural gas and can fire these fuels in various combinations. The Combustion Turbines have the capability to fire distillate oil. In order to comply with the NOx requirements of 6NYCRR Subpart 227-2, the Very Large boilers are using off-stoichiometric firing and the Large boilers are using low excess air.

Building(s): BOILERHS

Condition 24: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Con Edison shall comply with 6 NYCRR Part 205 requirements as follows;

(a) Except as provided in (b) and (c), no person will sell, offer for sale, or apply any architectural coating manufacturer after July 1, 1989, which:

(1) contains more than 250 grams of volatile organic compounds per liter (2.09 lbs/gal) of coating excluding water and any colorant added to tint bases; or

(2) is recommended for use as a bituminous pavement sealer, unless it is a water emulsion-type coating.

(b) Except as provided in (c), no person will sell, offer for sale, or apply any nonflat architectural coating manufactured after July 1, 1989, which contains more than 380 grams of volatile organic compounds per liter (3.17 lbs/gal) of coating excluding water and any colorant added to tint bases.

(c) No person will sell, offer for sale, or apply any specialty architectural coating, manufactured after July 1, 1989, which has a volatile organic compound content, expressed as grams of volatile organic compounds per liter of coating excluding water and any colorant added to tint bases, in excess of the limits specified in 6 NYCRR Part 205.4(c).

The facility must maintain records certifying that



any architectural surface coating material, as defined under 6 NYCRR Part 205.1, complies with the VOC content requirements set forth in 6 NYCRR Part 205.4. Information regarding the composition and/or formulation of the applicable architectural surface coating material as provided by the supplier may be used. Certification may be in the form of standards formulation sheets, material safety data sheets, the results of analytical tests or other methods approved in advance by DEC, provided the required information can be readily extracted from the documents. All the records must be kept at the facility for five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

Condition 25: Submissions to the Department.
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 204-2.1

Item 25.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 26: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 204-4.1

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:

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

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

Condition 30: Temporary variances.
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 225-1.4

Item 30.1:

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 31: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

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

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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

Subsequent reports are due every 12 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 225.7 (a)

Item 32.1:

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The Compliance Certification activity will be performed for the Facility.

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: PER DELIVERY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

Subsequent reports are due every 12 calendar month(s).

Condition 33: Compliance Certification

Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The most current version of the NOx RACT Compliance and Operating Plans are dated June 7, 2005, and constitute an enforceable part of the permit.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2008.

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

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Condition 34: Facility Subject to Title IV Acid Rain Regulations and Permitting

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:40 CFR Part 72

Item 34.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 35: Emission Point Definition By Emission Unit

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 35.1:

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

Emission Unit: 7-40020

Emission Point: 00001

Height (ft.): 494

Diameter (in.): 192

NYTMN (km.): 4513.537 NYTME (km.): 588.537 Building: BOILERHS

Condition 36: Process Definition By Emission Unit

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 36.1:

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

Emission Unit: 7-40020

Process: GTD

Source Classification Code: 2-01-001-01

Process Description:

This process includes: two (2) combustion turbines, GT 1 and 2 rated at 223 MMBtu/hr each. These turbines combust only distillate oil.

Emission Source/Control: GT001 - Combustion

Design Capacity: 223 million Btu per hour

Emission Source/Control: GT002 - Combustion

Design Capacity: 223 million Btu per hour

Item 36.2:

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

Emission Unit: 7-40020

Process: NG1

Source Classification Code: 1-01-006-01



Process Description:

This process includes: three (3) tangentially fired boilers (Nos. 120, 121, and 122) rated at 836 MMBtu/hr each. This process covers the combustion of natural gas in these boilers. These boilers will be equipped for natural gas ignition and the capability to combust natural gas.

Emission Source/Control: 00120 - Combustion
Design Capacity: 836 million Btu per hour

Emission Source/Control: 00121 - Combustion
Design Capacity: 836 million Btu per hour

Emission Source/Control: 00122 - Combustion
Design Capacity: 836 million Btu per hour

Item 36.3:

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

Emission Unit: 7-40020

Process: NG2

Source Classification Code: 1-01-006-01

Process Description:

This process includes: six (6) normally fired boilers (Nos. 123 through 128) rated at 180 MMBtu/hr each. This process covers the combustion of natural gas in these boilers.

Emission Source/Control: 00123 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00124 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00125 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00126 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00127 - Combustion
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00128 - Combustion
Design Capacity: 180 million Btu per hour

Item 36.4:

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

Emission Unit: 7-40020

Process: RO1

Source Classification Code: 1-01-004-04

Process Description:

This process includes: three (3) tangentially fired



Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Tune-up shall be performed annually for the two turbines and nine boilers listed in this emission unit. The owner or operator shall maintain a log (in a format acceptable to the Department) containing the following information for each unit:

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

The tune-ups shall serve as periodic monitoring for both NO_x and particulate matter emissions.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

Condition 38: Permits requirements.

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 204-1.6

Item 38.1:

This Condition applies to Emission Unit: 7-40020

Item 38.2: The NO_x authorized account representative of each NO_x budget unit shall submit to the Department a complete NO_x Budget permit application (as defined under Section 204-3.3) by May 1, 2002.

Condition 39: Requirements for recertification of monitoring systems.

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 204-8.2

Item 39.1:

This Condition applies to Emission Unit: 7-40020

Item 39.2: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NO_x mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore,



and report NOx Mass emissions using a NOx concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Monitoring Frequency: DAILY
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 42: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020
Process: GTD

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

Item 42.2:

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, to sample NOx emissions, at least 90 days prior to emission testing on the two turbines (emission sources GT001 and GT002) at the facility. The conditions of the testing and the locations of the sampling devices must be acceptable to the Department.

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 43: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020 Emission Point: 00001

Regulated Contaminant(s):



CAS No: 0NY075-00-0 PARTICULATES

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To assure ongoing compliance with the particulate matter (PM) limit of 0.10 lbs/mmbtu, Con Edison shall perform the following;

i) For boilers burning residual fuel oil, the facility shall calculate the total PM emissions in pounds, and the average PM emissions in pounds per million btu, based on the sulfur content (S) and the heating value of the fuel burned, using the AP-42, Table 1.3-1 PM emission rate formula:

$$(9.19(S) + 3.22 + 1.5) \text{lb}/1,000 \text{ gal} * \text{gal}/\text{mmbtu} < 0.10 \text{ lbs}/\text{mmbtu}$$

where S is the weight percentage of Sulfur in the oil.

(ii) For the turbines burning distillate oil, the facility shall calculate the total PM emissions in pounds, and the average PM emissions in pounds per million btu, based on the heating value of the fuel burned, and the AP-42, Table 3.1-2a PM emission rate factor for distillate oil-fired turbines

$$(0.0043 + 0.0072) \text{ lb}/\text{mmbtu} < 0.10 \text{ lbs}/\text{mmbtu}.$$

All the records must be kept at the facility for five years and submitted quarterly to the Department.

Monitoring Frequency: MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2008.

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

Condition 44: Compliance Certification

Effective between the dates of 02/05/2008 and 02/04/2013

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

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020

Emission Point: 00001

Regulated Contaminant(s):



CAS No: 0NY075-00-0 PARTICULATES

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for singular boilers or multiple boilers and turbines ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

Condition 45: Compliance Certification

Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020

Emission Point: 00001

Item 45.2:

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

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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
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 46: Compliance Certification
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020 Emission Point: 00001

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

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

In response to New York State Department of Environmental



Conservation opacity regulations, Con Edison installed and certified Lear Siegler RM41 transmissometers on applicable Fossil Power stacks during the early 1980s. In 1994 and 1995, as part of Con Edison's Continuous Emissions Monitoring System (CEMS) program, existing equipment at all facilities was replaced with new state-of-the-art Land Model 4500 units. New recorders were installed and digital opacity indicators were placed in control rooms so that Station operators would have real-time opacity readings. Con-Edison's opacity monitors shall be operated and maintained in accordance with the requirements of 40 CFR Part 75.

1. Opacity Incident Reporting:

Con Edison shall prepare opacity incident reports consistent with the requirements of this paragraph. The term "opacity incident" as used in this condition means smoke emissions which exhibit greater than 20% opacity (6-minute average).

Opacity incident report shall be maintained by Con Edison for a period of three years and shall be made available for inspection by the Department on demand. To provide a consistent and permanent record of all reportable opacity events, incident reporting was initiated in 1994. The reports consist of documenting incident events by way of Incident Reports in Con Edison's Central information database system. Incident Reports identify personnel on duty, a brief summary of the incident and as necessary a sequence of events, a preliminary cause analysis and associated corrective action requirements. All opacity Incident Reports are available electronically to cognizant Con Edison departments and personnel for their information, review and use. Incident Reports form the basis for more detailed root cause analysis, corrective actions, design modifications and project/program development and implementation.

2. Opacity Reporting Compliance Audits:

Con Edison shall conduct monthly opacity reporting compliance audits consistent with the requirements of this paragraph. Monthly opacity reporting compliance audits have been performed since April, 1994 and shall continue to be performed to ensure compliance with applicable regulatory reporting requirements. Audits include a detailed review of all opacity charts or recording device data for the prior month, confirmation that all indicated events were properly reported and documented, charts properly marked, survey sheets completed and all



documentation retained. Comprehensive audit reports shall continue to be prepared to identify all relevant observations. Items tabulated include missing chart hours and survey sheets, events greater than 20% opacity, events greater than 40% opacity, total incidents, incidents reported and events covered by Incident Reports.

3. Awareness, Communications and Training:

Con Edison shall comply with the opacity awareness, communications and training provisions of this paragraph. Several significant initiatives have been undertaken to ensure and reinforce personnel understanding of the regulatory and operational requirements associated with this opacity. Awareness has been heightened by consistently and effectively communicating mandates throughout all levels of Con Edison's Steam Operations organization. Opacity audit results, significant or unusual exceedances, trends, goals, new developments and/or opacity reduction initiatives shall be included as agenda items, when appropriate, at a variety of meetings, including the monthly meeting of the Steam Operations Vice President with the Plant Managers, the Steam Operations Program Managers Meeting, and/or the Operations and Maintenance Managers Meeting in order to promote continuing improvement in opacity awareness and compliance. Some of the opacity exceedances will be included in the review and discussion agenda of each monthly Incident Report Review Meeting, which is attended by key Steam Operations managers from each station, as well as EH&S and Central Engineering personnel.

At the local generating station level, opacity understanding and awareness shall be communicated on an ongoing basis from station management to supervisory and operating and maintenance personnel. Such communications shall be reinforced by operator interaction with personnel assigned as Opacity Auditors. Formal operator training is required of all personnel in order to receive their Air Pollution Control Certificates. A formal Air Pollution Control Refresher Course has been developed by the Company and shall be given to all control room operators by December 1998. It shall provide training in opacity regulatory requirements, fundamentals of combustion, and the balance between NOx control and opacity and continuous emissions monitoring interface.

4. Preventive Maintenance:

Con Edison shall conduct, on an ongoing basis, a



preventive maintenance program as described in this paragraph. Review of opacity-related Incident Reports by Con Edison has identified equipment deficiencies, both in design and maintenance. The consistent and repetitive nature of maintenance-related deficiencies has indicated the need for a comprehensive boiler component opacity reduction preventive maintenance program. The program has been fully operational since mid-1996. It consists of three phases defined as follows:

- Phase 1 - identify essential program elements including repetitive deficiencies;
- Phase 2 - develop procedures for each identified element;
- Phase 3 - consists of ongoing implementation of preventive maintenance.

The primary elements of Con Edison's ongoing preventive maintenance program for opacity reductions consist of regular inspection, calibration, and/or servicing of the following equipment in each of the generating stations:

- ι CEMS stack opacity monitoring equipment;
- ι Boiler control and instrumentation;
- ι Fuel oil and gas meters;
- ι Fuel oil pumps and strainers;
- ι Boiler fireside tubes (to minimize ash build-up);
- ι Air preheaters (to minimize ash build-up);
- ι Control-air air compressors;
- ι Fuel oil regulators;
- ι Atomizing steam regulators;
- ι Fan dampers and actuators; and
- ι Oil guns and tips.

This program may be revised by adding appropriate new maintenance requirements and deleting ineffective or obsolete maintenance activities based on operating experience or changes in equipment operation. The Department shall be notified of all significant additions and deletions to the preventive maintenance program via Con Edison's quarterly report to the Department.

5. Root Cause Analysis and Corrective Actions:

Con Edison shall conduct root cause analyses as described in this paragraph and shall take all corrective actions that are deemed necessary to maintain full compliance with the State's opacity requirements. A comprehensive Root Cause Analysis program, including deficiency categorization and correction of categorized deficiencies



was implemented in April 1995. Incident categories include oil, air, atomizing steam, ignition, burner and combustion control system deficiencies. Analysis, categorization and corrective action development shall be performed monthly by the facility's Boiler System Engineer and other station personnel. Corrections due to equipment failure, malfunction and marginal design shall be accomplished by corrective maintenance and simple design basis enhancement activities. Correction of operation deviations include focused training, minimized soot blowing and increased boiler fireside washes. Significant design basis deficiencies shall be corrected by the development and implementation of design basis enhancement projects, including, but not limited to, fuel switching and ignition and control system retrofits.

6. Quarterly Reports:

Con Edison shall submit to the Department quarterly reports each May 15, August 15, November 15 and February 15, which describe activities and progress that Con Edison has made during the preceding quarter in carrying out the requirements of paragraphs 1 through 5 above in this condition. Penalties will not be assessed for excess opacity emission events attributable solely to equipment malfunctions or boiler start-ups or shut-downs, (as those terms are defined in 40 CFR § 60.2); provided that, Con Edison identifies those events in its quarterly excess emission reports, certifies that the events were not preventable and the Department does not dispute Con Edison's claim that such events were not preventable. When requested by the Department, Con Edison shall make available to the Department any incident reports and root cause analysis that it prepared for such events. Con Edison shall expressly identify in its quarterly excess emission reports instances of excess opacity attributable to soot blowing, operator error, or careless operation of properly functioning equipment.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

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

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

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

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

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

Condition 47: Contaminant List
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:ECL 19-0301

Item 47.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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



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

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

Condition 48: Unavoidable noncompliance and violations
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement: 6 NYCRR 201-1.4

Item 48.1:

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

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

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

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

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



determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 49: Air pollution prohibited
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:6 NYCRR 211.2

Item 49.1:

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

Condition 50: Compliance Demonstration
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:6 NYCRR 238-1.6 (c)

Item 50.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 50.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of each SO₂ budget source and each SO₂ budget unit at the source shall hold SO₂ allowances available for compliance deductions under NYCRR 238-6.5, as of the SO₂ allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO₂ budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO₂ budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.



SO2 allowances shall be held in, deducted from, or transferred among SO2 Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO2 allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO2 allowance was allocated.

An SO2 allowance allocated by the department under the ADR SO2 budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO2 Budget Trading Program. No provision of the ADR SO2 Budget Trading Program, the SO2 budget permit application, or the SO2 budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO2 allowance allocated by the department under the ADR SO2 Budget Trading Program does not constitute a property right.

The owners and operators of an SO2 budget unit that has excess emissions in any control period shall: Forfeit the SO2 allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2008.
Subsequent reports are due every 12 calendar month(s).

Condition 51: Record keeping and Reporting Requirements
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:6 NYCRR 238-1.6 (e)

Item 51.1:

Unless otherwise provided, the owners and operators of the SO2 budget source and each SO2 budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO2 authorized account representative for the source and each SO2 budget unit at the source and all documents that demonstrate the truth of



"I am authorized to make this submission on behalf of the owners and operators of the SO₂ budget sources or SO₂ budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

Condition 54: Compliance Demonstration
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:6 NYCRR 238-4.1

Item 54.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 54.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO₂ budget units at a source are subject to the SO₂ budget emissions limitation, the SO₂ authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO₂ authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO₂ budget emissions limitation for the control period covered by the report:

- (1) identification of each SO₂ budget unit;
- (2) except in instances when the SO₂ budget unit seeks to use future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO₂ authorized account representative's option, the serial numbers of the SO₂ allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO₂ authorized account representative's option, for units sharing a common stack and having SO₂ emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO₂



allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO₂ authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO₂ budget units at the source in compliance with the ADR SO₂ Budget Trading Program, whether each SO₂ budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO₂ Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO₂ budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO₂ emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO₂ emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's

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compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by March 1st

Condition 55: Submission of SO2 allowance transfers
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:6 NYCRR 238-7.1

Item 55.1:

The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO2 allowance to be transferred; and
- (c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 56: Monitoring and Reporting requirements
Effective between the dates of 02/05/2008 and 02/04/2013

Applicable State Requirement:6 NYCRR Subpart 238-8

Item 56.1: The owners and operators, and to the extent applicable, the SO2 authorized account representative of an SO2 budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO2 budget unit," and "SO2 authorized account representative," respectively, as defined in NYCRR 238-1.2.

