

New York State Department of Environmental Conservation
Facility DEC ID: 2630100191



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6301-00191/00003
Effective Date: 07/02/2003 Expiration Date: 07/01/2008

Permit Issued To: ASTORIA GAS TURBINE POWER LLC
4401 VICTORY BLVD
STATEN ISLAND, NY 10314

Contact: THOMAS BISHOP
NRG ARTHUR KILL GENERATION INC
4401 VICTORY BOULEVARD
STATEN ISLAND, NY 10314
(718) 390-2775

Facility: ASTORIA GAS TURBINE POWER
31-01 20TH AVENUE
LONG ISLAND CITY, NY 11105

Contact: ALLAN FILIPPI
NRG ARTHUR KILL GENERATION INC
4401 VICTORY BLVD
STATEN ISLAND, NY 10314
(718) 390-2734

Description:

This is a Title V permit for an existing electric generating facility, consisting of thirty two (32) Combustion turbines. Four turbines are rated at 239 MMBtu/hr.; four at 345 MMBtu/hr.; and, twenty four at 255 MMBtu/hr. All the turbines are operated as peaking turbines at either full load or zero load. The four turbines rated at 239 MMBtu/hr. and the four rated at 345 MMBtu/hr. are fired on Kerosene or #2 fuel oil (distillate). The remaining twenty four turbines rated at 255 MMBtu/hr. are fired on natural gas and 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 oxides of nitrogen are averaged with other facilities owned by NRG Energy Inc., according to a system-wide averaging plan approved by the Department, to achieve compliance with the provisions of 6NYCRR Subpart 227-2.

The turbines at the facility are not subject to the NSPS for Stationary gas turbines (40 CFR 60 Subpart GG) since they commenced operation in 1970 and 1971, which is prior to the applicability date for NSPS for the turbines (10/77). The facility is also not subject to the provisions of the Acid Rain program (40 CFR 72) since it consists solely of simple cycle combustion turbines which commenced operation before 11/15/90. The facility is, however, subject to the NO_x Emissions Budget and Allowance Program provisions of 6NYCRR Subpart 227-3 since twenty of its Combustion turbines are listed as "affected"



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sources in Subpart 227-3. The facility is also subject to the NOx Budget Trading Program provisions of 6NYCRR Subpart 204 since twenty four of its Combustion turbines, set up in pairs, are coupled to generators rated at 40 Megawatts, which is greater than the 15 Megawatt threshold for applicability to Subpart 204.

At the facility, an air inlet water spray system or Fogging system has been installed on two turbines (GT34A & B), to reduce the emissions of oxides of nitrogen. The operation of the Fogging system with the turbines is limited to 6,000 hours during any rolling 365 day period, to cap out of the requirements 6NYCRR Part 231-2.2 for emissions of VOC and the PSD requirements of 40 CFR 52.21, Subpart A, for emissions of CO.

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
 DIVISION OF ENVIRONMENTAL PERMITS
 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 acts or omissions in connection with the 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 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 and Modifications

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: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

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

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 in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

Condition 5: Submission of 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



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

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42 Compliance Certification (EU=A-00005,Proc=GTD)

43 Compliance Certification (EU=A-00005,Proc=GTD)

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

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46 Air pollution prohibited

Classification Code:

4911 - ELECTRIC SERVICES

4922 - NATURAL GAS TRANSMISSION

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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: Sealing - 6NYCRR Part 200.5

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 labeling 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.

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.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

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.

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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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.

Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

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.

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the



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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 F: Recycling and Salvage - 6NYCRR Part 201-1.7

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.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

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.

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

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

Item I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

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.

- Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**
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.
- Item K: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item L: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item M: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission**

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Requirements - 6 NYCRR Part 201-6.5(a)(3)

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

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

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.

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

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

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

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

Item R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

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

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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.

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

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

Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

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.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such

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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 provisions 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 in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

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

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

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

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

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

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

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

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

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

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

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a shorter time period in the case of an emergency.

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

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.

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

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.

Item AA: Open Fires - 6 NYCRR Part 215

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.

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

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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.

FEDERAL APPLICABLE REQUIREMENTS

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

Condition 1: Emission Unit Definition
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 201-6.

Item 1.1:

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

Emission Unit: A-00005

Emission Unit Description:

This emission unit contains 32 simple cycle combustion turbines & seven starting engines. There are 12 sets of 2 turbines / generator and they are listed as A & B. These sets burn natural gas or distillate. There are eight additional turbines; 5 and 7 through 13 which burn only distillate oil. Turbines 5,7,8, and 10 through 13 have diesel starter engines. The starting engine for Turbine 9 has been removed; the stack, however, remains in place.

Building(s): GTFAC

Condition 2: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 07/02/2003 and 07/01/2008

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

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Item 2.1:

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

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

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

Condition 3: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 07/02/2003 and 07/01/2008

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

Item 3.1:

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

Condition 4: Compliance Certification

Effective between the dates of 07/02/2003 and 07/01/2008

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

Item 4.1:

The Compliance Certification activity will be performed for the Facility.

Item 4.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with

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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

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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



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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 1/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

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

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:

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

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certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

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

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

The address for the RAPCE is as follows:

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

The address for the BCME is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2004.



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Subsequent reports are due on the same day each year

Condition 6: Required Emissions Tests - Facility Level
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 6.1:

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

Condition 7: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

Condition 8: Recordkeeping requirements
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

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

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



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Condition 9: Permit requirements.

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 9.1: 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 or 12 months before the date on which the NO_x Budget unit commences operation.

Condition 10: Submissions to the Department.

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 10.1: Each submission under the NO_x Budget Trading Program shall be submitted, signed and certified by the NO_x authorized account representative for each NO_x 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 NO_x authorized account representative.

Condition 11: Contents of reports and compliance certifications.

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 11.1: The NO_x 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 NO_x Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NO_x Budget unit; and
- (2) In the compliance certification report the NO_x authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO_x Budget units at the source in compliance with the NO_x Budget Trading Program, whether each NO_x 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 NO_x Budget Trading Program applicable to the unit, including:
 - (i) Whether the unit was operated in compliance with the NO_x 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 NO_x emissions to the unit, in accordance with Subpart 204-8;
 - (iii) Whether all the NO_x 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 resubmissions has been made;



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- (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.

Condition 12: Discretionary report contents.
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 12.1: 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 13: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 13.1:
The Compliance Certification activity will be performed for the Facility.

Item 13.2:
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 14: Submission of NOx allowance transfers.
Effective between the dates of 07/02/2003 and 07/01/2008



Applicable Federal Requirement: 6NYCRR 204-7.1

Item 14.1: 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 15: General provisions.
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 15.1: 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 16: Prohibitions.
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 16.1: 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, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:



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- (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 17: Requirements for installation, certification, and data accounting.

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 17.1: 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 18: Requirements for recertification of monitoring systems.

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 18.1: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 19: Compliance Certification

Effective between the dates of 07/02/2003 and 07/01/2008



Applicable Federal Requirement: 6NYCRR 204-8.2

Item 19.1:

The Compliance Certification activity will be performed for the Facility.

Item 19.2:

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 20: Out of control periods.

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 20.1: 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 21: Compliance Certification

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 21.1:

The Compliance Certification activity will be performed for the Facility.

Item 21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NOx Budget unit shall submit written notice to the Department and the

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USEPA Administrator in accordance with the requirements of this subpart as follows:

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

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

The address for the USEPA Administrator is as follows:

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

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

The address for the BCME is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:



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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 22: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 207.

Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Astoria Gas Turbine Power LLC (NRG) must implement the actions set forth in their Episode Action Plan, dated May 6, 2002, when the Commissioner determines that an air pollution episode exists and must indicate the actions taken at the facility to the Region 2, Regional Air Pollution Control Engineer of the Department, via phone call, within one day of the episode, and by submitting a written report on the actions taken at the facility within 5 days of the episode.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

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

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 225-1.7(c) requires that measurements must be made



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daily of the rate of each fuel burned. Also, the facility must measure the gross heat content and ash content of each fuel burned (determined at least once per week), and the average electrical output (daily) and hourly generation rate. This information must be retained by the source owner for a period of three years.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

**Condition 24: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 07/02/2003 and 07/01/2008**

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

Item 24.1:

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

**Condition 25: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008**

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

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: MINIMUM - ONCE PER CALENDAR YEAR

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 1/30/2004.
Subsequent reports are due every 6 calendar month(s).

**Condition 26: This condition states the facility is applicable to NOx RACT.
Effective between the dates of 07/02/2003 and 07/01/2008**

Applicable Federal Requirement: 6NYCRR 227-2.1

Item 26.1:

This facility is subject to NOx RACT.

**Condition 27: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008**

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

Item 27.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NRG Energy Inc.'s system-wide averaging of NOx emissions from its facilities in New York State (including the Astoria Gas Turbine Power facility) must be performed in accordance with its NOx RACT System-wide Compliance Plan, dated February 25, 2000, approved by the Department on August 30, 2000. Records will be kept in accordance with the Plan and compliance will be demonstrated on a 24 hour basis during the Ozone season and on a 30 day rolling average for the rest of the year.

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Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2003.

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

Condition 28: Authorized Account Representatives (AARs)
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 227-3.12

Item 28.1: Each budget source must designate an AAR, and may designate an alternate AAR, for each compliance account and compliance overdraft account.

Condition 29: General provisions for emissions monitoring.
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 227-3.13

Item 29.1: The owner and/or operator of each budget source subject to this Subpart must comply with the following requirements, as applicable:

(1) NO_x mass emissions from each budget source shall be monitored as specified in both this Section and the Guidance Document, (The January 28, 1997 document issued by the Ozone Transport Commission titled "Guidance for Implementation of Emission Monitoring Requirements for the NO_x Budget Program" as well as attendant and incorporated documents including the July 3, 1997 document issued by the OTC titled "NO_x Budget Program Monitoring Certification and Reporting Requirements" and the July 3, 1997 document issued by the Administrator titled "Electronic Data Reporting, Acid Rain Program/NO_x Budget Program."

(2) A monitoring plan for each existing budget source must be submitted to the Department in accordance with the procedures, but not the deadlines, outlined in the Guidance Document. The monitoring plan must be submitted within 30 days of the effective date of this Subpart.

(3) Emissions monitoring systems required by this Section shall be installed, operational and meet all of the certification testing requirements in accordance with the procedures outlined in the Guidance Document by May 1, 1999 or the first hour that the budget source is operating during a control period.



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(4) Monitoring systems are subject to initial performance testing and periodic calibration, accuracy testing and quality assurance/quality control testing as specified in the Guidance Document.

(5) During a period when valid data are not being recorded by monitoring devices approved for use to demonstrate compliance with this Subpart, missing or invalid data shall be replaced with representative default data in accordance with the provisions of 40 CFR Part 75 and the Guidance Document.

(6) NOx emissions data shall be reported to the NETS in accordance with provisions of Section 227-3.15.

(7) Budget sources that commence operation during the allocation period shall begin reporting data in the first hour that the budget source is operating during a control period.

Condition 30: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 227-3.13

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of a budget source which is not subject to 40 CFR Part 75 shall meet the monitoring requirements of this Subpart by:

(1) Submitting to the Department and the Administrator a monitoring plan as specified in paragraph 227-3.13(a)(2) which must include the following information, as appropriate:

(i) A description of the monitoring approach to be used;

(ii) A description of the major components of the monitoring system including the manufacturer, serial numbers of the component, the measurement span(s) of the components and documentation to demonstrate that the measurement span of each component is appropriate to measure all of the expected values. This requirement applies to all monitoring systems including CEMS which have not been certified pursuant to 40 CFR Part 75;

(iii) An estimate of the accuracy of the system and documentation to demonstrate how the estimate of accuracy

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was determined;

(iv) A description of the tests that will be used for initial certification, initial quality assurance, periodic quality assurance, and relative accuracy;

(v) If the monitoring system uses a default emission rate or unit specific emission factor, the monitoring plan shall include the following:

(a) All information necessary to support the emission rate including historical monitoring data and historical fuel usage data. If the source plans to conduct emission testing to determine emission rate, the plan must include a test protocol explaining the testing to be conducted;

(b) Procedures which will be utilized to demonstrate that any control equipment in operation during the testing to develop source specific emission factors or during development of load-based emissions curves are in use when those factors or emission curves are applied to calculate NO_x emissions; and

(c) Alternative uncontrolled emission rates to be used to calculate NO_x emissions during periods when control equipment is not being used or is inoperable.

(vi) The following documentation regarding heat input determination, as appropriate:

(a) If the method for determining heat input involves boiler efficiency testing, a description of the test to determine boiler efficiency;

(b) If the method for determining heat input uses fuel sampling, a description of the test to be used in the fuel sampling program; and

(c) If the method for determining heat input uses fuel flow meters, the meters shall be certified pursuant to 40 CFR Part 75 Appendix D, or equivalent certification methodology.

(vii) As described in the Guidance Document, schematics for the sources, data flow diagrams, and a list of the Electronic Report Record Types used to report quarterly data.

(2) Determining NO_x emission rate in lbs/mmBtu using one of the following methods:

(i) Implementing monitoring in accordance with 40 CFR Part 75;

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(ii) If the budget source is required to have and operate a CEMS to meet the requirements of 40 CFR Part 60 or other state requirements or permits, the CEMS must be used to meet the requirements of this paragraph. 40 CFR Part 60 monitors used for this purpose shall meet quality assurance criteria as described in the Guidance Document. Any time that a 40 CFR Part 60 CEMS cannot be used to report data for this program because it does not meet the requirements of the Guidance Document, missing data shall be substituted using the procedures in 40 CFR Part 75 Subpart D. In addition, a CEMS that has not undergone initial certification testing to meet the requirements of 40 CFR Part 75 or 40 CFR Part 60 shall meet the initial certification requirements contained in the Guidance Document;

(iii) If the budget source is an oil or gas fired source with a maximum heat input capacity of less than 250 mmBtu/hr or an oil or gas fired peaking source of any size and does not have a CEMS, any of the following methodologies may be used to measure NO_x, consistent with the Guidance Document:

- (a) For a boiler or a turbine, the procedures contained in 40 CFR Part 75 Appendix E;
- (b) For a combustion turbine, a default emission factor as follows:

- (1) 0.7 lb/mmBtu if gas fired;
- (2) 1.2 lbs/mmBtu if oil fired; or
- (3) the source specific maximum potential NO_x emission rate determined through testing performed in accordance with a protocol approved by the Department.

- (c) For a boiler, a default emission factor as follows:

- (1) 2 lbs/mmBtu if oil fired,
- (2) 1.5 lbs/mmBtu if gas fired; or
- (3) the source specific maximum potential NO_x emission rate determined through testing performed in accordance with a protocol approved by the Department.

(iv) any other method authorized in the Guidance Document and approved by the Department.

(3) Determining heat input rate using one of the following methods:



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(i) If the budget source does not have a flue gas flow monitor, any of the following methods may be used upon Department approval:

(a) Use of a flow monitor and a diluent monitor meeting the requirements of 40 CFR Part 75 and the procedures set forth in 40 CFR Part 75 Appendix F Section 5;

(b) For a budget source that combusts only oil or natural gas, use of a fuel flow monitor meeting the requirements of 40 CFR Part 75 Appendix D and the procedures set forth in 40 CFR Part 75 Appendix F Section 5;

(c) For a budget source having a rated capacity with a rated output of less than 25 megawatts or that operates as a peaking unit only, that combusts only oil or natural gas, measuring fuel use over a representative period and calculating the heat input on an hourly basis by apportioning the fuel based on electrical load in accordance with the following formula:

Hourly heat input = (Hourly electrical load x Total heat input) / Total electrical load

(d) For a budget source that combusts any fuel other than oil or natural gas, one of the following alternative methods:

(1) Conducting fuel sampling and analysis and monitoring fuel usage;

(2) Using boiler efficiency curves and other monitored information such as boiler steam output; and

(3) Any other methods approved by the Department.

(ii) Alternative methods specified in the Guidance Document and approved by the Department, which may be subject to both initial and periodic relative accuracy, and quality assurance testing as accepted by the Department.

(4) Determining the NO_x emissions in lbs/hr by multiplying the NO_x emission rate and heat input rate figures together.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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Condition 31: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 227-3.15

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:

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 10/30/2003.

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

Condition 32: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 227-3.16

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 32.2:

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

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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.

(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 NO_x 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



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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 33: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 227-3.17

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:

(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.

(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 NO_x 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

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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 34: Accidental release provisions.
Effective between the dates of 07/02/2003 and 07/01/2008**

Applicable Federal Requirement: 40CFR 68.

Item 34.1:

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 (if not previously submitted) one of the following if such quantities are present at the time of permit issuance:
 - 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,



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including the registration and submission of the Risk Management Plan. Information should be submitted to:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866
ATTN: Accidental Release Program contact

Condition 35: Recycling and Emissions Reduction
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 35.1:

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

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

Condition 36: Emission Point Definition By Emission Unit
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 201-6.

Item 36.1:

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

Emission Unit: A-00005

Emission Point: GT005

Height (ft.): 45 Length (in.): 94 Width (in.): 127
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

Emission Point: GT007

Height (ft.): 45 Length (in.): 94 Width (in.): 127
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

Emission Point: GT008

Height (ft.): 45 Length (in.): 94 Width (in.): 127
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

Emission Point: GT009

Height (ft.): 45 Length (in.): 94 Width (in.): 127
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

Emission Point: GT010

Height (ft.): 45 Length (in.): 94 Width (in.): 127



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NYTMN (km.): 4515.7	NYTME (km.): 592.3	Building: GTFAC
Emission Point: GT011		
Height (ft.): 45	Length (in.): 94	Width (in.): 127
NYTMN (km.): 4515.7	NYTME (km.): 592.3	Building: GTFAC
Emission Point: GT012		
Height (ft.): 45	Length (in.): 94	Width (in.): 127
NYTMN (km.): 4515.7	NYTME (km.): 592.3	Building: GTFAC
Emission Point: GT013		
Height (ft.): 45	Length (in.): 94	Width (in.): 127
NYTMN (km.): 4515.7	NYTME (km.): 592.3	Building: GTFAC
Emission Point: GT21A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT21B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT22A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT22B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT23A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT23B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT24A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.5	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT24B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.6	Building: GTFAC
Emission Point: GT31A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160



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Permit ID: 2-6301-00191/00003

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NYTMN (km.): 4515.6	NYTME (km.): 592.5	Building: GTFAC
Emission Point: GT31B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.6	NYTME (km.): 592.5	Building: GTFAC
Emission Point: GT32A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.6	NYTME (km.): 592.5	Building: GTFAC
Emission Point: GT32B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.6	NYTME (km.): 592.5	Building: GTFAC
Emission Point: GT33A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT33B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT34A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT34B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT41A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT41B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT42A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT42B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT43A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160



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NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT43B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT44A		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: GT44B		
Height (ft.): 38	Length (in.): 120	Width (in.): 160
NYTMN (km.): 4515.7	NYTME (km.): 592.4	Building: GTFAC
Emission Point: SD005		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD007		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD008		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD009		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD010		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD011		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD012		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	
Emission Point: SD013		
Height (ft.): 12	Diameter (in.): 4	
NYTMN (km.): 4515.7	NYTME (km.): 592.3	

Condition 37: Process Definition By Emission Unit
Effective between the dates of 07/02/2003 and 07/01/2008



Applicable Federal Requirement: 6NYCRR 201-6.

Item 37.1:

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

Emission Unit: A-00005

Process: CNG

Source Classification Code: 2-02-007-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF
COMPRESSED NATURAL GAS IN THE PRATT WHITNEY
TURBINES. THIS PROCESS INCLUDES ALL 24
PRATT & WHITNEY TURBINES WHEN THEY ARE
FIRING NATURAL GAS.

Emission Source/Control: GT21A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT21B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT32A - Combustion
Design Capacity: 255 million Btu per hour



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Emission Source/Control: GT32B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44B - Combustion
Design Capacity: 255 million Btu per hour

Item 37.2:

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

Emission Unit: A-00005

Process: FOG

Source Classification Code: 2-02-007-01

Process Description:

THIS PROCESS USES A FOGGING SYSTEM TO ADD
FORCED HUMIDIFICATION TO FUEL IN THE INLET
AIR OF THE PRATT & WHITNEY FT-4-9DF

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COMBUSTION TURBINE GT 34A & B, WHILE FIRING NATURAL GAS TO IMPROVE PERFORMANCE. GAS TURBINES HAVE REDUCED POWER OUTPUT AS AMBIENT TEMPERATURES INCREASE. WITH THE FORCED HUMIDIFICATION OF THE INLET AIR, THE DENSITY OF THE INLET AIR INCREASES, WHICH IN TURN INCREASES THE FUEL DENSITY AND INCREASES THE POWER OUTPUT. AT THE SAME TIME, THERE ARE REDUCTIONS IN NOX AND INCREASES IN CO AND VOC EMISSIONS. THE AMOUNT OF CHANGE IN POWER OUTPUT AND EMISSIONS IS A FUNCTION OF AMBIENT TEMPERATURE AND HUMIDITY. THIS PROCESS IS ONLY EFFECTIVE ON WARM SUMMER DAYS DURING THE OZONE SEASON.

Emission Source/Control: GT34A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34B - Combustion
Design Capacity: 255 million Btu per hour

Item 37.3:

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

Emission Unit: A-00005

Process: GTD

Source Classification Code: 2-02-009-01

Process Description:

THIS PROCESS INCLUDES THE COMBUSTION OF DISTILLATE FUEL (KEROSENE, #2 FUEL OIL) IN 32 COMBUSTION TURBINES: GT21A, GT21B, THROUGH GT24A, GT24B; GT31A, GT31B, THROUGH GT34A, GT34B; AND, GT41A, GT41B, THROUGH GT44A, GT44B, WHICH ARE RATED AT 255 MMBTU/HR EACH; GT005 AND GT007 THROUGH GT009 WHICH ARE RATED AT 239 MMBTU/HR EACH; AND, GT010 THROUGH GT013 WHICH ARE RATED AT 345 MMBTU/HR EACH.

Emission Source/Control: GT005 - Combustion
Design Capacity: 239 million Btu per hour

Emission Source/Control: GT007 - Combustion
Design Capacity: 239 million Btu per hour

Emission Source/Control: GT008 - Combustion
Design Capacity: 239 million Btu per hour



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Emission Source/Control: GT009 - Combustion
Design Capacity: 239 million Btu per hour

Emission Source/Control: GT010 - Combustion
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT011 - Combustion
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT012 - Combustion
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT013 - Combustion
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT21A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT21B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT32A - Combustion
Design Capacity: 255 million Btu per hour



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Emission Source/Control: GT32B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43B - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44A - Combustion
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44B - Combustion
Design Capacity: 255 million Btu per hour

Condition 38: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

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

Item 38.1:

The Compliance Certification activity will be performed for:

Emission Unit: A-00005



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Regulated Contaminant(s):

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

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A Stack test must be performed to determine the emission of oxides of nitrogen from the Combustion Turbines at the facility. All Stack test procedures must comply with the provisions of 6NYCRR 227-2.6(c).

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 39: Compliance Certification

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 231-2.2

Item 39.1:

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

Process: FOG

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In Emission Unit A-00005, turbine set GT34A & B is equipped with an air inlet water spray system or "Fogging" system, which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide (CO) and Volatile Organic Compounds (VOC). In order to cap out of the requirements of 6 NYCRR Part 231-2.2 for VOC, turbine set GT34A & B is limited to 6,000 hours of operation with the "Fogging" system, during any rolling 365 day period, resulting in a net increase of VOC of 4.59 tpy. This will ensure that the emissions resulting from this modification will remain below the "significant net increase" threshold of 25 tpy for VOC. The hours of operation of turbine set

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GT34A & B, both with and without the "Fogging" system, is to be automatically recorded by an electronic data logging system. A report, summarizing the 365 day rolling total hours of operation of the "Fogging" system and corresponding emissions of VOC, will be forwarded to the Department within 60 days following the end of each quarter.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 40: Compliance Certification

Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

Process: FOG

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In Emission Unit A-00005, turbine set GT34A & B is equipped with an air inlet water spray system or "Fogging" system, which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide (CO) and Volatile Organic Compounds (VOC). In order to cap out of

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the requirements of 40 CFR 52.21 for carbon monoxide, turbine set GT34A & B is limited to 6,000 hours of operation with the "Fogging" system, during any rolling 365 day period, resulting in a net increase of CO of 75 tpy. This will ensure that the emissions resulting from this modification will remain below the "significant net increase" threshold of 100 tpy for CO. The hours of operation of turbine set GT34A & B, both with and without the "Fogging" system, is to be automatically recorded by an electronic data logging system. A report, summarizing the 365 day rolling total hours of operation of the "Fogging" system and corresponding emissions of carbon monoxide, will be forwarded to the Department within 60 days following the end of each quarter.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 41: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable Federal Requirement: 6NYCRR 200.6

Item 41.1:

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

Process: GTD

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The operation of the turbines at the facility, when firing oil, is limited as follows:

(1) on a daily basis, the operation of each of the Pratt and Whitney turbines can not exceed 14 hours per day when firing distillate oil. THIS LIMIT IS ONLY FOR THE COMBUSTION OF DISTILLATE FUEL (KEROSENE) IN THE FOLLOWING 24 COMBUSTION TURBINES: GT21A, GT21B, THROUGH GT24A, GT24B; GT31A, GT31B, THROUGH GT34A, GT34B; AND, GT41A, GT41B, THROUGH GT44A, GT44B, WHICH ARE RATED AT



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255 MMBTU/HR EACH. THE BALANCE OF THE TURBINES AT THE FACILITY (GT 5,7,8, 9 AND 10 THROUGH 13) HAVE NO DAILY HOURLY LIMIT ON THEIR OPERATION.

(2) on an annual basis, the operation of each turbine can not exceed 1,930 hours per year.

Records must be kept and submitted quarterly, for each turbine at the facility, indicating the total hours of operation on a daily basis and the annual, 365-day rolling total of hours of operation.

Monitoring Frequency: HOURLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2003.
Subsequent reports are due every 3 calendar month(s).

Condition 42: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

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

Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: A-00005
Process: GTD

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The distillate oil fuel burned in the turbines at the facility can not contain sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.04 percent by weight



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Reference Test Method: ASTM Method 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 8/30/2003.
Subsequent reports are due every 1 calendar month(s).

Condition 43: Compliance Certification
Effective between the dates of 07/02/2003 and 07/01/2008

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

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: A-00005
Process: GTD

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

Item 43.2:

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

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METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2004.
Subsequent reports are due every 6 calendar month(s).



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable and are not subject to annual compliance certification requirements for Title V permits.

Condition 44: Contaminant List
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable State Requirement: ECL 19-0301.

Item 44.1:

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



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CAS No: 000630-08-0
Name: CARBON MONOXIDE

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

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

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

Condition 45: Unavoidable noncompliance and violations
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable State Requirement: 6NYCRR 201-1.4

Item 45.1:

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



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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 46: Air pollution prohibited
Effective between the dates of 07/02/2003 and 07/01/2008

Applicable State Requirement: 6NYCRR 211.2

Item 46.1:

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.