



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Title IV (Phase II Acid Rain)  
Permit ID: 2-6304-00024/00029  
Effective Date: 12/06/2006 Expiration Date: 12/05/2011

Permit Type: Air Title V Facility  
Permit ID: 2-6304-00024/00035  
Effective Date: 12/06/2006 Expiration Date: 12/05/2011

Permit Issued To: KEYSpan - RAVENSWOOD SERVICES CORP  
175 EAST OLD COUNTRY RD  
HICKSVILLE, NY 11801

Contact: ROBERT D TEETZ  
KEYSPAN  
175 EAST OLD COUNTRY RD  
HICKSVILLE, NY 11801-4280  
(516) 545-2577

Facility: RAVENSWOOD GENERATING STATION  
38-54 VERNON BLVD  
QUEENS, NY 11101

Contact: ROBERT D TEETZ  
KEYSPAN  
175 EAST OLD COUNTRY RD  
HICKSVILLE, NY 11801-4280  
(516) 545-2577

**Description:**

This is a Title V application for an existing electric generating facility. The facility consists of three (3) steam boiler turbine/generator sets and seventeen (17) simple cycle combustion turbines. Three (3) emergency generators are available to return the facility to service in the event of a catastrophic system failure.

The three (3) Very Large boilers are rated at 4204, 4171, and 9379 million BTU/hour. The boilers combust #6 residual oil, natural gas, and waste fuel. The seventeen (17) combustion turbines and three (3) boilers have a combined nominal rating of 2,288 Megawatts and combust distillate oil and natural gas.

The facility's emissions of particulate matter, nitrogen oxides, sulfur dioxide, and carbon monoxide exceed the major source pollutant thresholds listed in 6NYCRR Subpart 201-6. The facility is, therefore, subject to the provisions of Title V.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2630400024**



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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

Applications for permit renewals, modifications and transfers

Permit modifications, suspensions or revocations by the Department

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:**



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

**Condition 4: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6NYCRR 621.11**

**Item 4.1:**

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 4.2:**

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 4.3:**

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

**Condition 5: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 5.1:**

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

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

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

**Item 6.1:**

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;

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

**Item 7.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 2 Headquarters  
Division of Environmental Permits  
1 Hunters Point Plaza, 4740 21st Street  
Long Island City, NY 11101-5407  
(718) 482-4997



**New York State Department of Environmental Conservation**

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**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: KEYSpan - RAVENSWOOD SERVICES CORP  
175 EAST OLD COUNTRY RD  
HICKSVILLE, NY 11801

Facility: RAVENSWOOD GENERATING STATION  
38-54 VERNON BLVD  
QUEENS, NY 11101

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

Permit Effective Date: 12/06/2006

Permit Expiration Date: 12/05/2011



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6.5(c)(3): Compliance Certification
- 25 6NYCRR 201-6.5(g): Non Applicable requirements
- 26 6NYCRR 204-1.6: Permit requirements.
- 27 6NYCRR 204-2.1: Submissions to the Department.
- 28 6NYCRR 204-4.1: Contents of reports and compliance certifications.
- 29 6NYCRR 204-4.1: Discretionary report contents.
- 30 6NYCRR 204-4.1: Compliance Certification
- 31 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 32 6NYCRR 204-8.1: General provisions.
- 33 6NYCRR 204-8.1: Prohibitions.
- 34 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 35 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 36 6NYCRR 204-8.2: Compliance Certification
- 37 6NYCRR 204-8.3: Out of control periods.
- 38 6NYCRR 204-8.4: Compliance Certification

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- 39 6NYCRR 204-8.7: Compliance Certification
- 40 6NYCRR 207: Submittal of Episode Action Plans
- 41 6NYCRR 225-1.2(a)(2): Compliance Certification
- 42 6NYCRR 225-1.2(a)(2): Compliance Certification
- 43 6NYCRR 225-1.8: Compliance Certification
- 44 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 45 6NYCRR 225-2.3(b): Compliance Certification
- 46 6NYCRR 225-2.4(b): Compliance Certification
- 47 6NYCRR 225-2.4(b): Compliance Certification
- 48 6NYCRR 225-2.4(b): Compliance Certification
- 49 6NYCRR 225-2.4(b): Compliance Certification
- 50 6NYCRR 227-1.3(a): Compliance Certification
- 51 6NYCRR 227-2.5(b): KeySpan Energy NOx RACT System-Wide Averaging Plan

**Emission Unit Level**

- 52 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 53 6NYCRR 201-6: Process Definition By Emission Unit
- 54 6NYCRR 201-7.2: Emission Unit Permissible Emissions
- 55 6NYCRR 201-7.2: Process Permissible Emissions

**EU=U-00010**

- 56 6NYCRR 227-1.2(a)(1): Compliance Certification
- 57 6NYCRR 227-2.6(a)(1): Testing, monitoring, and reporting requirements for very large boilers.

**EU=U-00010,EP=00010**

- 58 6NYCRR 227-1.4(b): Compliance Certification

**EU=U-00020**

- 59 6NYCRR 227-1.2(a)(1): Compliance Certification
- 60 6NYCRR 227-2.6(a)(1): Testing, monitoring, and reporting requirements for very large boilers.

**EU=U-00020,EP=00020**

- 61 6NYCRR 227-1.4(b): Compliance Certification

**EU=U-00030**

- 62 6NYCRR 227-1.2(a)(1): Compliance Certification
- 63 6NYCRR 227-2.6(a)(1): Testing, monitoring, and reporting requirements for very large boilers.

**EU=U-00030,EP=00030**

- 64 6NYCRR 227-1.4(b): Compliance Certification

**EU=U-CT008**



65 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT009**

66 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT010**

67 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT011**

68 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT201**

69 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT201,EP=CT201**

\*70 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT202**

71 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT202,EP=CT202**

\*72 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT203**

73 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT203,EP=CT203**

\*74 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT204**

75 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT204,EP=CT204**

\*76 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT301**

77 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT301,EP=CT301**

\*78 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT302**



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79 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT302,EP=CT302**

\*80 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT303**

81 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT303,EP=CT303**

\*82 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=U-CT304**

83 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-CT304,EP=CT304**

\*84 6NYCRR 201-7.2: Capping Monitoring Condition

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

85 ECL 19-0301: Contaminant List

86 6NYCRR 201-1.4: Unavoidable noncompliance and violations

87 6NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

**EU=U-00010**

88 6NYCRR 237-1.6(a): Permit Requirements

89 6NYCRR 237-1.6(c): Compliance Demonstration

90 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements

91 6NYCRR 237-1.6(f): Liability

92 6NYCRR 237-1.6(g): Effect on other Authorities

93 6NYCRR 237-2: Authorization and responsibilities of the NO<sub>x</sub>  
authorized account representative

94 6NYCRR 237-4.1: Compliance Demonstration

95 6NYCRR 237-8: Compliance Demonstration

96 6NYCRR 238-1.6(a): Permit Requirements

97 6NYCRR 238-1.6(c): Compliance Demonstration

98 6NYCRR 238-1.6(e): Compliance Demonstration

99 6NYCRR 238-1.6(f): Liability

100 6NYCRR 238-1.6(g): Effect on Other Authorities

101 6NYCRR 238-2.1: Submissions to the Department

102 6NYCRR 238-4.1: Compliance Demonstration

103 6NYCRR 238-7.1: Submission of SO<sub>2</sub> allowance transfers

104 6NYCRR 238-8: Compliance Demonstration

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**EU=U-00010,EP=00010**

105 6NYCRR 227-1.4(a): Compliance Demonstration

**EU=U-00020**

- 106 6NYCRR 237-1.6(a): Permit Requirements
- 107 6NYCRR 237-1.6(c): Compliance Demonstration
- 108 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 109 6NYCRR 237-1.6(f): Liability
- 110 6NYCRR 237-1.6(g): Effect on other Authorities
- 111 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 112 6NYCRR 237-4.1: Compliance Demonstration
- 113 6NYCRR 237-8: Compliance Demonstration
- 114 6NYCRR 238-1.6(a): Permit Requirements
- 115 6NYCRR 238-1.6(c): Compliance Demonstration
- 116 6NYCRR 238-1.6(e): Compliance Demonstration
- 117 6NYCRR 238-1.6(f): Liability
- 118 6NYCRR 238-1.6(g): Effect on Other Authorities
- 119 6NYCRR 238-2.1: Submissions to the Department
- 120 6NYCRR 238-4.1: Compliance Demonstration
- 121 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 122 6NYCRR 238-8: Compliance Demonstration

**EU=U-00020,EP=00020**

123 6NYCRR 227-1.4(a): Compliance Demonstration

**EU=U-00030**

- 124 6NYCRR 237-1.6(a): Permit Requirements
- 125 6NYCRR 237-1.6(c): Compliance Demonstration
- 126 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 127 6NYCRR 237-1.6(f): Liability
- 128 6NYCRR 237-1.6(g): Effect on other Authorities
- 129 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 130 6NYCRR 237-4.1: Compliance Demonstration
- 131 6NYCRR 237-8: Compliance Demonstration
- 132 6NYCRR 238-1.6(a): Permit Requirements
- 133 6NYCRR 238-1.6(c): Compliance Demonstration
- 134 6NYCRR 238-1.6(e): Compliance Demonstration
- 135 6NYCRR 238-1.6(f): Liability
- 136 6NYCRR 238-1.6(g): Effect on Other Authorities
- 137 6NYCRR 238-2.1: Submissions to the Department
- 138 6NYCRR 238-4.1: Compliance Demonstration
- 139 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 140 6NYCRR 238-8: Compliance Demonstration

**New York State Department of Environmental Conservation**

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**EU=U-00030,EP=00030**

141 6NYCRR 227-1.4(a): Compliance Demonstration

**EU=U-CT201**

- 142 6NYCRR 237-1.6(a): Permit Requirements
- 143 6NYCRR 237-1.6(c): Compliance Demonstration
- 144 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 145 6NYCRR 237-1.6(f): Liability
- 146 6NYCRR 237-1.6(g): Effect on other Authorities
- 147 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 148 6NYCRR 237-4.1: Compliance Demonstration
- 149 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT202**

- 150 6NYCRR 237-1.6(a): Permit Requirements
- 151 6NYCRR 237-1.6(c): Compliance Demonstration
- 152 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 153 6NYCRR 237-1.6(f): Liability
- 154 6NYCRR 237-1.6(g): Effect on other Authorities
- 155 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 156 6NYCRR 237-4.1: Compliance Demonstration
- 157 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT203**

- 158 6NYCRR 237-1.6(a): Permit Requirements
- 159 6NYCRR 237-1.6(c): Compliance Demonstration
- 160 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 161 6NYCRR 237-1.6(f): Liability
- 162 6NYCRR 237-1.6(g): Effect on other Authorities
- 163 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 164 6NYCRR 237-4.1: Compliance Demonstration
- 165 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT204**

- 166 6NYCRR 237-1.6(a): Permit Requirements
- 167 6NYCRR 237-1.6(c): Compliance Demonstration
- 168 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 169 6NYCRR 237-1.6(f): Liability
- 170 6NYCRR 237-1.6(g): Effect on other Authorities
- 171 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 172 6NYCRR 237-4.1: Compliance Demonstration

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173 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT301**

- 174 6NYCRR 237-1.6(a): Permit Requirements
- 175 6NYCRR 237-1.6(c): Compliance Demonstration
- 176 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 177 6NYCRR 237-1.6(f): Liability
- 178 6NYCRR 237-1.6(g): Effect on other Authorities
- 179 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 180 6NYCRR 237-4.1: Compliance Demonstration
- 181 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT302**

- 182 6NYCRR 237-1.6(a): Permit Requirements
- 183 6NYCRR 237-1.6(c): Compliance Demonstration
- 184 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 185 6NYCRR 237-1.6(f): Liability
- 186 6NYCRR 237-1.6(g): Effect on other Authorities
- 187 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 188 6NYCRR 237-4.1: Compliance Demonstration
- 189 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT303**

- 190 6NYCRR 237-1.6(a): Permit Requirements
- 191 6NYCRR 237-1.6(c): Compliance Demonstration
- 192 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 193 6NYCRR 237-1.6(f): Liability
- 194 6NYCRR 237-1.6(g): Effect on other Authorities
- 195 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 196 6NYCRR 237-4.1: Compliance Demonstration
- 197 6NYCRR 237-8: Compliance Demonstration

**EU=U-CT304**

- 198 6NYCRR 237-1.6(a): Permit Requirements
- 199 6NYCRR 237-1.6(c): Compliance Demonstration
- 200 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 201 6NYCRR 237-1.6(f): Liability
- 202 6NYCRR 237-1.6(g): Effect on other Authorities
- 203 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative
- 204 6NYCRR 237-4.1: Compliance Demonstration
- 205 6NYCRR 237-8: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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

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

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to



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Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

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

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

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

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

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

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

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

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

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in



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order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 1.1:**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 2.1:**

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

**Condition 3: Recordkeeping and reporting of compliance monitoring**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 3.1:**

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

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

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

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

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 60 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.

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certifications shall contain the following information:

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- 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.

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

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

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

The address for the RAPCE is as follows:

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

The address for the BCME is as follows:

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

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**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 12/06/2006 and 12/05/2011**

**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

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upon request during normal business hours.

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 215**

**Item 9.1:**

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT  
TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 10: Maintenance of Equipment**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-1.7**

**Item 11.1:**

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

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-1.8**

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**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 13.1:**

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

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 14.1:**

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

**Condition 15: Standard Requirement - Provide Information**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

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**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or



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contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 19.1:**

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

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 211.3**

**Item 20.1:**

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

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 40CFR 68**

**Item 21.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater



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than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

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

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

**Condition 22: Recycling and Emissions Reduction**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 40CFR 82, Subpart F**

**Item 22.1:**

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

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

**Condition 23: Emission Unit Definition**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 23.1:**

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

Emission Unit: U-00010

Emission Unit Description:

THIS UNIT CONSISTS OF DUAL, TANGENTIALLY FIRED FURNACES COMPRISING A SINGLE BOILER. STEAM FROM THIS BOILER OPERATES A TANDEM TURBINE GENERATOR SET NOMINALLY RATED AT



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390 MW. THE FURNACES OPERATE ON NATURAL GAS OR LOW SULFUR #6 RESIDUAL OIL. ON OCCASION, SMALL AMOUNTS OF WASTE FUEL A MAY BE FIRED IN CONJUNCTION WITH THE PRIMARY FUEL. ON AN INFREQUENT BASIS, NON-HAZARDOUS BOILER CLEANING SOLUTION MAY BE EVAPORATED IN THIS UNIT IN CONJUNCTION WITH THE PRIMARY FUEL. CLOSE COUPLED OVER-FIRED AIR (CCOFA) COMPARTMENTS HAVE BEEN ADDED TO THE UPPER AND LOWER WINDBOX SECTIONS OF THIS EMISSION UNIT. CCOFA IS A PROVEN NO<sub>x</sub> REDUCTION TECHNOLOGY AND WAS INSTALLED AS PART OF KEYSpan'S PLAN TO MEET PHASE III OF THE NO<sub>x</sub> BUDGET REQUIREMENTS. INSTALLATION OCCURRED DURING THE FALL 2000 SCHEDULED OUTAGE.

Building(s): GEN STA

**Item 23.2:**

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

Emission Unit: U-00020

Emission Unit Description:

THIS UNIT CONSISTS OF DUAL, TANGENTIALLY FIRED FURNACES COMPRISING A SINGLE BOILER. STEAM FROM THIS BOILER OPERATES A TANDEM TURBINE GENERATOR SET NOMINALLY RATED AT 390 MW. THIS BOILER IS EQUIPPED WITH A CLOSE-COUPLED-OVERFIRED-AIR (CCOFA) SYSTEM TO REDUCE THE FORMATION OF NITROGEN OXIDES. THE FURNACES OPERATE ON NATURAL GAS OR LOW SULFUR #6 RESIDUAL OIL. ON OCCASION, SMALL AMOUNTS OF WASTE FUEL A MAY BE FIRED IN CONJUNCTION WITH THE PRIMARY FUEL. ON AN INFREQUENT BASIS, NON-HAZARDOUS BOILER CLEANING SOLUTIONS MAY BE EVAPORATED IN THIS UNIT IN CONJUNCTION WITH PRIMARY FUEL.

Building(s): GEN STA

**Item 23.3:**

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

Emission Unit: U-00030

Emission Unit Description:

THIS UNIT CONSISTS OF DUAL BOILERS, EACH HEATED BY DUAL, TANGENTIALLY FIRED

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FURNACES. STEAM FROM THESE BOILERS OPERATES A TANDEM TURBINE GENERATOR SET NOMINALLY RATED AT 972 MW. KEYSpan WILL BE INSTALLING A CLOSE-COUPLED-OVERFIRED-AIR (CCOFA) SYSTEM BY LATE 2001 TO FURTHER REDUCE THE FORMATION OF NITROGEN OXIDES. THE FURNACES OPERATE ON NATURAL GAS OR LOW SULFUR #6 RESIDUAL OIL. ON OCCASION, SMALL AMOUNTS OF WASTE FUEL A MAY BE FIRED IN CONJUNCTION WITH THE PRIMARY FUEL. ON AN INFREQUENT BASIS, NON-HAZARDOUS BOILER CLEANING SOLUTION MAY BE EVAPORATED IN THIS UNIT IN CONJUNCTION WITH THE PRIMARY FUEL.

Building(s): GEN STA

**Item 23.4:**

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

Emission Unit: U-CT001

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. THIS UNIT IS A "BLACK-START" COMBUSTION TURBINE DESIGNED TO PROVIDE SUFFICIENT POWER TO BRING THE ENTIRE POWER STATION BACK ON-LINE FOLLOWING A CATASTROPHIC SYSTEM COLLAPSE. A DIESEL ENGINE, EMISSION POINT GT0S1, EMISSION UNIT U-CT0S1 IS UTILIZED TO START THIS COMBUSTION TURBINE.

Building(s): GT1

**Item 23.5:**

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

Emission Unit: U-CT004

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. A DIESEL ENGINE, EMISSION POINT GT0S4, EMISSION UNIT U-CT0S4 IS UTILIZED TO START THIS COMBUSTION TURBINE.

Building(s): CT4

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**Item 23.6:**

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

Emission Unit: U-CT005

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. A DIESEL ENGINE, EMISSION POINT GT0S5, EMISSION UNIT U-CT0S5 IS UTILIZED TO START THIS COMBUSTION TURBINE.

Building(s): CT5

**Item 23.7:**

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

Emission Unit: U-CT006

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. A DIESEL ENGINE, EMISSION POINT GT0S6, EMISSION UNIT U-CT0S6 IS UTILIZED TO START THIS COMBUSTION TURBINE.

Building(s): CT6

**Item 23.8:**

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

Emission Unit: U-CT007

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. A DIESEL ENGINE, EMISSION POINT GT0S7, EMISSION UNIT U-CT0S7 IS UTILIZED TO START THIS COMBUSTION TURBINE.

Building(s): CT7

**Item 23.9:**

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

Emission Unit: U-CT008

Emission Unit Description:

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THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM.

Building(s): CT8

**Item 23.10:**

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

Emission Unit: U-CT009

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM.

Building(s): CT9

**Item 23.11:**

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

Emission Unit: U-CT010

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM.

Building(s): CT10

**Item 23.12:**

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

Emission Unit: U-CT011

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM.

Building(s): CT11

**Item 23.13:**

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

Emission Unit: U-CT0S1

Emission Unit Description:

THIS UNIT IS A 430 HP DIESEL ENGINE USED TO START THE "BLACK-START" COMBUSTION TURBINE, DESIGNATED EMISSION UNIT U-CT001.



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THIS UNIT ONLY OPERATES DURING START-UP OF  
THE COMBUSTION TURBINE, GENERALLY LESS THAN  
15 MINUTES PER EVENT.

Building(s): CT1

**Item 23.14:**

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

Emission Unit: U-CT0S4

Emission Unit Description:

THIS UNIT IS A 430 HP DIESEL ENGINE USED  
TO START THE "BLACK-START" COMBUSTION  
TURBINE, DESIGNATED EMISSION UNIT U-CT004.  
THIS UNIT ONLY OPERATES DURING START-UP OF  
THE COMBUSTION TURBINE, GENERALLY LESS THAN  
15 MINUTES PER EVENT.

Building(s): CT4

**Item 23.15:**

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

Emission Unit: U-CT0S5

Emission Unit Description:

THIS UNIT IS A 430 HP DIESEL ENGINE USED  
TO START THE "BLACK-START" COMBUSTION  
TURBINE, DESIGNATED EMISSION UNIT U-CT005.  
THIS UNIT ONLY OPERATES DURING START-UP OF  
THE COMBUSTION TURBINE, GENERALLY LESS THAN  
15 MINUTES PER EVENT.

Building(s): CT5

**Item 23.16:**

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

Emission Unit: U-CT0S6

Emission Unit Description:

THIS UNIT IS A 430 HP DIESEL ENGINE USED  
TO START THE "BLACK-START" COMBUSTION  
TURBINE, DESIGNATED EMISSION UNIT U-CT006.  
THIS UNIT ONLY OPERATES DURING START-UP OF  
THE COMBUSTION TURBINE, GENERALLY LESS THAN  
15 MINUTES PER EVENT.

Building(s): CT6

**Item 23.17:**

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

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Emission Unit: U-CT0S7

Emission Unit Description:

THIS UNIT IS A 430 HP DIESEL ENGINE USED TO START THE "BLACK-START" COMBUSTION TURBINE, DESIGNATED EMISSION UNIT U-CT007. THIS UNIT ONLY OPERATES DURING START-UP OF THE COMBUSTION TURBINE, GENERALLY LESS THAN 15 MINUTES PER EVENT.

Building(s): CT7

**Item 23.18:**

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

Emission Unit: U-CT201

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.

Building(s): CT21

**Item 23.19:**

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

Emission Unit: U-CT202

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of

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CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.

Building(s): CT22

**Item 23.20:**

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

Emission Unit: U-CT203

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.

Building(s): CT23

**Item 23.21:**

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

Emission Unit: U-CT204

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499



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non-ozone season operation) hours of  
operation without inlet spray.

Building(s): CT24

**Item 23.22:**

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

Emission Unit: U-CT301

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.

Building(s): CT31

**Item 23.23:**

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

Emission Unit: U-CT302

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.



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Building(s): CT32

**Item 23.24:**

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

Emission Unit: U-CT303

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.

Building(s): CT33

**Item 23.25:**

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

Emission Unit: U-CT304

Emission Unit Description:

THIS UNIT IS A COMBUSTION TURBINE USED TO SUPPLY PEAK GENERATION CAPACITY, AS REQUIRED TO SUPPORT THE NYC ELECTRIC DISTRIBUTION SYSTEM. TWO TURBINE ENGINES DRIVE A SINGLE GENERATOR AND EXHAUST THROUGH A COMMON STACK. Inlet water spray may be utilized for NOx reduction. Based on stack test results for carbon monoxide, operation of this unit shall be restricted such that the 365 day rolling summation of CO mass emissions shall not exceed that which would have been released during 4,171 (3,672 hr in ozone season plus 499 non-ozone season operation) hours of operation without inlet spray.

Building(s): CT34

**Condition 24: Compliance Certification**



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**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period unless otherwise directed by a specific permit condition. 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.

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing



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addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 25: Non Applicable requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 25.1:**

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

**Condition 26: Permit requirements.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-1.6**

**Item 26.1:** The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall submit to the Department a complete NO<sub>x</sub> Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NO<sub>x</sub> Budget unit commences operation.

**Condition 27: Submissions to the Department.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-2.1**

**Item 27.1:** Each submission under the NO<sub>x</sub> Budget Trading Program shall be submitted, signed and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NO<sub>x</sub> authorized account representative.

**Condition 28: Contents of reports and compliance certifications.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-4.1**

**Item 28.1:** The NO<sub>x</sub> authorized account representative shall include in the compliance certification



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report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

- (i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
- (ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
- (iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
- (iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
- (v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

**Condition 29: Discretionary report contents.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-4.1**

**Item 29.1:** 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 30: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**



**Applicable Federal Requirement: 6NYCRR 204-4.1**

**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:

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 31:    Submission of NOx allowance transfers.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-7.1**

**Item 31.1:** The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

**Condition 32:    General provisions.**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.1**

**Item 32.1:** The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx 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 "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.



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**Condition 33: Prohibitions.**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.1**

**Item 33.1:** No owner or operator of a NO<sub>x</sub> Budget unit or a non-NO<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> 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:

(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 NO<sub>x</sub> 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 34: Requirements for installation, certification, and data accounting.**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.1**

**Item 34.1:** The owner or operator of each NO<sub>x</sub> Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO<sub>x</sub> 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 NO<sub>x</sub> mass. This includes all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> 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 NO<sub>x</sub> 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



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(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 35: Requirements for recertification of monitoring systems.  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.2**

**Item 35.1:** 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 36: Compliance Certification  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.2**

**Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 36.2:**

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 37: Out of control periods.  
Effective between the dates of 12/06/2006 and 12/05/2011**



**Applicable Federal Requirement: 6NYCRR 204-8.3**

**Item 37.1:** 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 38: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.4**

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

**Item 38.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NO<sub>x</sub> Budget unit shall submit written notice to the Department and the USEPA Administrator in accordance with the requirements of this subpart as follows:

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one 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:

Mr. George Croll  
USEPA Clean Air Markets Division  
401 M Street SW (6204J)

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Washington D.C.

Ms. Ann Zownir  
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  
50 Wolf Rd. Room 108  
Albany N.Y. 12233-3258

ACR changes should be sent to the attention of:

NYSDEC  
Stationary Source Planning Section  
Bureau of Air Quality Planning  
50 Wolf Rd  
Albany NY 12233-3251

The address for the RAPCE is as follows:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 39: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 204-8.7**

**Item 39.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a unit that elects to monitor  
and report NOx Mass emissions using a NOx concentration



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

Monitoring Frequency: HOURLY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 3 calendar month(s).

**Condition 40: Submittal of Episode Action Plans**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 207**

**Item 40.1:**

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

**Condition 41: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)**

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any residual oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Monitoring Frequency: PER DELIVERY

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



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Reporting Requirements: MONTHLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 1 calendar month(s).

**Condition 42: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any  
distillate oil fuel which contains 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: 0.20 percent by weight

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 1/30/2007.

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

**Condition 43: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-1.8**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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**Monitoring Description:**

The owner or operator of a facility which purchases and fires oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. These reports are due sixty (60) days after every 6 calendar months (January - June, July - December).

**Monitoring Frequency:** AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

**Reporting Requirements:** AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 44: Sampling, compositing, and analysis of fuel samples Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 44.1:**

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 45: Compliance Certification Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-2.3(b)**

**Item 45.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 45.2:**

Compliance Certification shall include the following monitoring:

**Monitoring Type:** WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

**Monitoring Description:**

Each piece of equipment which fires Waste Fuel A shall demonstrate, at a minimum, 99% combustion efficiency.

**Work Practice Type:** PARAMETER OF PROCESS MATERIAL

**Process Material:** WASTE OIL

**Parameter Monitored:** COMBUSTION EFFICIENCY

**Lower Permit Limit:** 99.0 percent

**Monitoring Frequency:** CONTINUOUS

**Reporting Requirements:** SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 1/30/2007.

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

**Condition 46: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-2.4(b)**

**Item 46.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Fuel contaminant limitations for lead.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 250.0 parts per million by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL  
CHANGE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 47: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-2.4(b)**

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Fuel heat content - minimum required

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Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: HEAT CONTENT  
Lower Permit Limit: 125000.0 British thermal units per  
gallon  
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL  
CHANGE  
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 48: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 225-2.4(b)**

**Item 48.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Fuel contaminant limitations for Polychlorinated  
Biphenyls.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: CONCENTRATION  
Upper Permit Limit: 49.99 parts per million by weight  
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL  
CHANGE  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 49: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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**Applicable Federal Requirement: 6NYCRR 225-2.4(b)**

**Item 49.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Fuel contaminant limitations for total halogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 1000.0 parts per million by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 50: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 50.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 50.2:**

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. Opacity reports are due sixty (60) days after the end of each calendar quarter (January



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- March, April - June, July - September, October - December). At least once per calendar year, Method 9 observations will be conducted on each combustion turbine by a qualified observer, and be reported semi-annually.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 51: KeySpan Energy NOx RACT System-Wide Averaging Plan Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 51.1:**

KeySpan Energy's system-wide averaging of NOx emissions from its Ravenswood Steam Plant and Ravenswood Generating Station must be performed in accordance with its NOx RACT System-Wide Averaging Plan, dated December 28, 1993, approved by the Department, and modified on December 16, 1999, to include its Ravenswood Generating Station and Steam Plant in its system.

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

**Condition 52: Emission Point Definition By Emission Unit Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 52.1:**

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

Emission Unit: U-00010

Emission Point: 00010

Height (ft.): 499

Diameter (in.): 160

NYTMN (km.): 4512.1

NYTME (km.): 588.9

Building: GEN STA

**Item 52.2:**

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

Emission Unit: U-00020

Emission Point: 00020

Height (ft.): 499

Diameter (in.): 162

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**Facility DEC ID: 2630400024**



Building: GEN STA

**Item 52.3:**

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

Emission Unit: U-00030

Emission Point: 00030

Height (ft.): 499

Diameter (in.): 282

Building: GEN STA

**Item 52.4:**

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

Emission Unit: U-CT001

Emission Point: GT001

Height (ft.): 28

Length (in.): 96

Width (in.): 120

NYTMN (km.): 4512.323 NYTME (km.): 588.933

Building: GT1

**Item 52.5:**

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

Emission Unit: U-CT004

Emission Point: CT004

Height (ft.): 47

Length (in.): 84

Width (in.): 254

Building: CT4

**Item 52.6:**

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

Emission Unit: U-CT005

Emission Point: CT005

Height (ft.): 47

Length (in.): 84

Width (in.): 254

Building: CT5

**Item 52.7:**

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

Emission Unit: U-CT006

Emission Point: CT006

Height (ft.): 47

Length (in.): 84

Width (in.): 254

Building: CT6



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**Item 52.8:**

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

Emission Unit: U-CT007

Emission Point: CT007

Height (ft.): 47

Length (in.): 84

Width (in.): 254

Building: CT7

**Item 52.9:**

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

Emission Unit: U-CT008

Emission Point: CT008

Height (ft.): 35

Length (in.): 114

Width (in.): 156

Building: CT8

**Item 52.10:**

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

Emission Unit: U-CT009

Emission Point: CT009

Height (ft.): 35

Length (in.): 114

Width (in.): 156

Building: CT9

**Item 52.11:**

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

Emission Unit: U-CT010

Emission Point: CT010

Height (ft.): 35

Length (in.): 114

Width (in.): 156

Building: CT10

**Item 52.12:**

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

Emission Unit: U-CT011

Emission Point: CT011

Height (ft.): 35

Length (in.): 114

Width (in.): 156

Building: CT11

**Item 52.13:**

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



Emission Unit: U-CT0S1

Emission Point: GT0S1  
Height (ft.): 15

Diameter (in.): 5

Building: CT1

**Item 52.14:**

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

Emission Unit: U-CT0S4

Emission Point: CT0S4  
Height (ft.): 15

Diameter (in.): 5

Building: CT4

**Item 52.15:**

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

Emission Unit: U-CT0S5

Emission Point: CT0S5  
Height (ft.): 15

Diameter (in.): 5

Building: CT5

**Item 52.16:**

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

Emission Unit: U-CT0S6

Emission Point: CT0S6  
Height (ft.): 47

Length (in.): 84

Width (in.): 254  
Building: CT6

**Item 52.17:**

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

Emission Unit: U-CT0S7

Emission Point: CT0S7  
Height (ft.): 47

Length (in.): 84

Width (in.): 254  
Building: CT7

**Item 52.18:**

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

Emission Unit: U-CT201

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Emission Point: CT201  
Height (ft.): 50                      Length (in.): 240                      Width (in.): 240  
Building: CT21

**Item 52.19:**

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

Emission Unit: U-CT202

Emission Point: CT202  
Height (ft.): 50                      Length (in.): 240                      Width (in.): 240  
Building: CT22

**Item 52.20:**

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

Emission Unit: U-CT203

Emission Point: CT203  
Height (ft.): 50                      Length (in.): 240                      Width (in.): 240  
Building: CT23

**Item 52.21:**

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

Emission Unit: U-CT204

Emission Point: CT204  
Height (ft.): 50                      Length (in.): 240                      Width (in.): 240  
Building: CT24

**Item 52.22:**

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

Emission Unit: U-CT301

Emission Point: CT301  
Height (ft.): 50                      Length (in.): 240                      Width (in.): 240  
Building: CT31

**Item 52.23:**

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

Emission Unit: U-CT302

Emission Point: CT302



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Height (ft.): 50

Length (in.): 240

Width (in.): 240

Building: CT32

**Item 52.24:**

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

Emission Unit: U-CT303

Emission Point: CT303

Height (ft.): 50

Length (in.): 240

Width (in.): 240

Building: CT33

**Item 52.25:**

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

Emission Unit: U-CT304

Emission Point: CT304

Height (ft.): 50

Length (in.): 240

Width (in.): 240

Building: CT34

**Condition 53: Process Definition By Emission Unit**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 53.1:**

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

Emission Unit: U-00010

Process: P01

Source Classification Code: 1-01-004-04

Process Description:

THIS PROCESS IS THE COMBUSTION OF #6 RESIDUAL OIL IN A TANGENTIALLY FIRED STEAM-ELECTRIC BOILER. A non-hazardous additive may be used to improve combustion.

The facility also may use bio-residual fuel which is equivalent to residual fuel oil in all respect.

Emission Source/Control: ES10H - Combustion

Design Capacity: 2,102 million Btu per hour

Emission Source/Control: ES10R - Combustion

Design Capacity: 2,102 million Btu per hour

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**Item 53.2:**

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

Emission Unit: U-00010

Process: P02

Source Classification Code: 1-01-006-04

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A TANGENTIALLY FIRED  
STEAM-ELECTRIC BOILER.

Emission Source/Control: ES10H - Combustion

Design Capacity: 2,102 million Btu per hour

Emission Source/Control: ES10R - Combustion

Design Capacity: 2,102 million Btu per hour

**Item 53.3:**

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

Emission Unit: U-00010

Process: P03

Source Classification Code: 1-01-013-02

Process Description:

THIS PROCESS IS THE CO-FIRING OF WASTE  
FUEL A WITH #6 RESIDUAL OIL AND/OR NATURAL  
GAS IN A TANGENTIALLY FIRED STEAM-ELECTRIC  
BOILER.

Emission Source/Control: ES10H - Combustion

Design Capacity: 2,102 million Btu per hour

Emission Source/Control: ES10R - Combustion

Design Capacity: 2,102 million Btu per hour

**Item 53.4:**

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

Emission Unit: U-00010

Process: P04

Source Classification Code: 5-03-007-01

Process Description:

THIS PROCESS INVOLVES THE INCINERATION OF  
NON-HAZARDOUS BOILER CHEMICAL CLEANING  
SOLUTIONS IN A TANGENTIALLY FIRED  
STEAM-ELECTRIC BOILER.

Emission Source/Control: ES10H - Combustion

Design Capacity: 2,102 million Btu per hour

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Emission Source/Control: ES10R - Combustion

Design Capacity: 2,102 million Btu per hour

**Item 53.5:**

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

Emission Unit: U-00020

Process: P05

Source Classification Code: 1-01-004-04

Process Description:

THIS PROCESS IS THE COMBUSTION OF #6 RESIDUAL OIL IN A TANGENTIALLY FIRED STEAM-ELECTRIC BOILER. A non-hazardous additive may be used to improve combustion.

Emission Source/Control: ES20H - Combustion

Design Capacity: 2,085 million Btu per hour

Emission Source/Control: ES20R - Combustion

Design Capacity: 2,085 million Btu per hour

**Item 53.6:**

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

Emission Unit: U-00020

Process: P06

Source Classification Code: 1-01-006-04

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A TANGENTIALLY FIRED STEAM-ELECTRIC BOILER.

The facility also may use bio-residual fuel which is equivalent to residual fuel oil in all respect.

Emission Source/Control: ES20H - Combustion

Design Capacity: 2,085 million Btu per hour

Emission Source/Control: ES20R - Combustion

Design Capacity: 2,085 million Btu per hour

**Item 53.7:**

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

Emission Unit: U-00020

Process: P07

Source Classification Code: 1-01-013-02



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Process Description:

THIS PROCESS IS THE CO-FIRING OF WASTE FUEL A WITH #6 RESIDUAL OIL AND/OR NATURAL GAS IN A TANGENTIALLY FIRED STEAM-ELECTRIC BOILER.

Emission Source/Control: ES20H - Combustion

Design Capacity: 2,085 million Btu per hour

Emission Source/Control: ES20R - Combustion

Design Capacity: 2,085 million Btu per hour

**Item 53.8:**

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

Emission Unit: U-00020

Process: P08

Source Classification Code: 5-03-007-01

Process Description:

THIS PROCESS INVOLVES THE INCINERATION OF NON-HAZARDOUS BOILER CHEMICAL CLEANING SOLUTIONS IN A TANGENTIALLY FIRED STEAM-ELECTRIC BOILER.

Emission Source/Control: ES20H - Combustion

Design Capacity: 2,085 million Btu per hour

Emission Source/Control: ES20R - Combustion

Design Capacity: 2,085 million Btu per hour

**Item 53.9:**

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

Emission Unit: U-00030

Process: P09

Source Classification Code: 1-01-004-04

Process Description:

THIS PROCESS IS THE COMBUSTION OF #6 RESIDUAL OIL IN A TANGENTIALLY FIRED STEAM-ELECTRIC BOILER. A non-hazardous additive may be used to improve combustion.

The facility also may use bio-residual fuel which is equivalent to residual fuel oil in all respect.

Emission Source/Control: ES30H - Combustion

Design Capacity: 4,689 million Btu per hour

**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**



Emission Source/Control: ES30R - Combustion

Design Capacity: 4,689 million Btu per hour

**Item 53.10:**

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

Emission Unit: U-00030

Process: P10

Source Classification Code: 1-01-006-04

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A TANGENTIALLY FIRED  
STEAM-ELECTRIC BOILER.

Emission Source/Control: ES30H - Combustion

Design Capacity: 4,689 million Btu per hour

Emission Source/Control: ES30R - Combustion

Design Capacity: 4,689 million Btu per hour

**Item 53.11:**

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

Emission Unit: U-00030

Process: P11

Source Classification Code: 1-01-013-02

Process Description:

THIS PROCESS IS THE CO-FIRING OF WASTE  
FUEL A WITH #6 RESIDUAL OIL AND/OR NATURAL  
GAS IN A TANGENTIALLY FIRED STEAM-ELECTRIC  
BOILER.

Emission Source/Control: ES30H - Combustion

Design Capacity: 4,689 million Btu per hour

Emission Source/Control: ES30R - Combustion

Design Capacity: 4,689 million Btu per hour

**Item 53.12:**

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

Emission Unit: U-00030

Process: P12

Source Classification Code: 5-03-007-01

Process Description:

THIS PROCESS INVOLVES THE INCINERATION OF  
NON-HAZARDOUS BOILER CHEMICAL CLEANING  
SOLUTIONS IN A TANGENTIALLY FIRED  
STEAM-ELECTRIC BOILER.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**



Emission Source/Control: ES30H - Combustion  
Design Capacity: 4,689 million Btu per hour

Emission Source/Control: ES30R - Combustion  
Design Capacity: 4,689 million Btu per hour

**Item 53.13:**

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

Emission Unit: U-CT001

Process: P21

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES001 - Combustion

Design Capacity: 243 million Btu per hour

**Item 53.14:**

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

Emission Unit: U-CT004

Process: P24

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
IS STORED FOR EXTENDED PERIODS, A BIOCID  
MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES004 - Combustion

Design Capacity: 235 million Btu per hour

**Item 53.15:**

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

Emission Unit: U-CT004

Process: P25

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL



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MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES005 - Combustion  
Design Capacity: 235 million Btu per hour

**Item 53.19:**

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

Emission Unit: U-CT005  
Process: P31  
Process Description:  
                    THIS PROCESS IS THE COMBUSTION OF PIPELINE  
                    NATURAL GAS IN A COMBUSTION TURBINE.  
Source Classification Code: 2-01-002-01

Emission Source/Control: ES005 - Combustion  
Design Capacity: 235 million Btu per hour

**Item 53.20:**

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

Emission Unit: U-CT006  
Process: P34  
Process Description:  
                    THIS PROCESS IS THE COMBUSTION OF #1  
                    DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
                    ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
                    MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
                    TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
                    IS STORED FOR EXTENDED PERIODS, A BIOCID  
                    MAY BE ADDED TO PREVENT FOULING.  
Source Classification Code: 2-01-009-01

Emission Source/Control: ES006 - Combustion  
Design Capacity: 235 million Btu per hour

**Item 53.21:**

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

Emission Unit: U-CT006  
Process: P35  
Process Description:  
                    THIS PROCESS IS THE COMBUSTION OF #2  
                    DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
                    ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
                    MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
                    TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
                    IS STORED FOR EXTENDED PERIODS, A BIOCID  
                    MAY BE ADDED TO PREVENT FOULING.  
Source Classification Code: 2-01-001-01

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**Facility DEC ID: 2630400024**



Emission Source/Control: ES006 - Combustion

Design Capacity: 235 million Btu per hour

**Item 53.22:**

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

Emission Unit: U-CT006

Process: P36

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES006 - Combustion

Design Capacity: 235 million Btu per hour

**Item 53.23:**

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

Emission Unit: U-CT007

Process: P39

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
IS STORED FOR EXTENDED PERIODS, A BIOCID  
MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES007 - Combustion

Design Capacity: 235 million Btu per hour

**Item 53.24:**

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

Emission Unit: U-CT007

Process: P40

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
IS STORED FOR EXTENDED PERIODS, A BIOCID  
MAY BE ADDED TO PREVENT FOULING.



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**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Emission Source/Control: ES007 - Combustion

Design Capacity: 235 million Btu per hour

**Item 53.25:**

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

Emission Unit: U-CT007

Process: P41

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES007 - Combustion

Design Capacity: 235 million Btu per hour

**Item 53.26:**

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

Emission Unit: U-CT008

Process: P44

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES008 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.27:**

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

Emission Unit: U-CT008

Process: P45

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
IS STORED FOR EXTENDED PERIODS, A BIOCIDES  
MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES008 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.28:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Emission Unit: U-CT008

Process: P46

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
IS STORED FOR EXTENDED PERIODS, A BIOCID  
MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES008 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.29:**

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

Emission Unit: U-CT009

Process: P47

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE  
NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES009 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.30:**

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

Emission Unit: U-CT009

Process: P48

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2  
DISTILLATE OIL IN A COMBUSTION TURBINE. IN  
ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE  
MAY BE MIXED WITH THE DISTILLATE OIL PRIOR  
TO COMBUSTION. IN ADDITION, WHEN FUEL OIL  
IS STORED FOR EXTENDED PERIODS, A BIOCID  
MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES009 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.31:**

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

Emission Unit: U-CT009



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Process: P49

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES009 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.32:**

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

Emission Unit: U-CT010

Process: P50

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES010 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.33:**

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

Emission Unit: U-CT010

Process: P51

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES010 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.34:**

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

Emission Unit: U-CT010

Process: P52

Source Classification Code: 2-01-009-01

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**Facility DEC ID: 2630400024**



Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES010 - Combustion  
Design Capacity: 255 million Btu per hour

**Item 53.35:**

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

Emission Unit: U-CT011

Process: P53

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE.

Emission Source/Control: ES011 - Combustion  
Design Capacity: 255 million Btu per hour

**Item 53.36:**

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

Emission Unit: U-CT011

Process: P54

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES011 - Combustion  
Design Capacity: 255 million Btu per hour

**Item 53.37:**

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

Emission Unit: U-CT011

Process: P55

Source Classification Code: 2-01-009-01

Process Description:



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING.

Emission Source/Control: ES011 - Combustion

Design Capacity: 255 million Btu per hour

**Item 53.38:**

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

Emission Unit: U-CT0S1

Process: P22

Source Classification Code: 2-01-001-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S1 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.39:**

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

Emission Unit: U-CT0S1

Process: P23

Source Classification Code: 2-02-009-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S1 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.40:**

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

Emission Unit: U-CT0S4



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Process: P27

Source Classification Code: 2-02-001-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S4 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.41:**

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

Emission Unit: U-CT0S4

Process: P28

Source Classification Code: 2-02-009-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S4 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.42:**

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

Emission Unit: U-CT0S5

Process: P32

Source Classification Code: 2-02-001-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S5 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.43:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Emission Unit: U-CT0S5

Process: P33

Source Classification Code: 2-02-009-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1  
DISTILLATE OIL IN A DIESEL ENGINE. THIS  
ENGINE IS USED TO START THE ASSOCIATED  
COMBUSTION TURBINE. DURING EACH START-UP  
THE ENGINE OPERATES FOR LESS THAN 15  
MINUTES.

Emission Source/Control: ES0S5 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.44:**

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

Emission Unit: U-CT0S6

Process: P37

Source Classification Code: 2-02-001-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2  
DISTILLATE OIL IN A DIESEL ENGINE. THIS  
ENGINE IS USED TO START THE ASSOCIATED  
COMBUSTION TURBINE. DURING EACH START-UP  
THE ENGINE OPERATES FOR LESS THAN 15  
MINUTES.

Emission Source/Control: ES0S6 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.45:**

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

Emission Unit: U-CT0S6

Process: P38

Source Classification Code: 2-02-009-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1  
DISTILLATE OIL IN A DIESEL ENGINE. THIS  
ENGINE IS USED TO START THE ASSOCIATED  
COMBUSTION TURBINE. DURING EACH START-UP  
THE ENGINE OPERATES FOR LESS THAN 15  
MINUTES.

Emission Source/Control: ES0S6 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.46:**

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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**



Emission Unit: U-CT0S7

Process: P42

Source Classification Code: 2-02-001-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S7 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.47:**

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

Emission Unit: U-CT0S7

Process: P43

Source Classification Code: 2-02-009-02

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A DIESEL ENGINE. THIS ENGINE IS USED TO START THE ASSOCIATED COMBUSTION TURBINE. DURING EACH START-UP THE ENGINE OPERATES FOR LESS THAN 15 MINUTES.

Emission Source/Control: ES0S7 - Combustion

Design Capacity: 430 horsepower (mechanical)

**Item 53.48:**

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

Emission Unit: U-CT201

Process: P56

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES21A - Combustion

Design Capacity: 262 million Btu per hour



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Emission Source/Control: ES21B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.49:**

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

Emission Unit: U-CT201

Process: P57

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDE MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES21A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES21B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.50:**

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

Emission Unit: U-CT201

Process: P58

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDE MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**



Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES21A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES21B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.51:**

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

Emission Unit: U-CT202

Process: P59

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES22A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES22B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.52:**

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

Emission Unit: U-CT202

Process: P60

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization.



**New York State Department of Environmental Conservation**

**Permit ID: 2-6304-00024/00035**

**Facility DEC ID: 2630400024**

Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES22A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES22B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.53:**

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

Emission Unit: U-CT202

Process: P61

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES22A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES22B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.54:**

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

Emission Unit: U-CT203

Process: P62

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit



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utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES23A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES23B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.55:**

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

Emission Unit: U-CT203

Process: P63

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDE MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES23A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES23B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.56:**

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

Emission Unit: U-CT203

Process: P64

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR



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TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES23A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES23B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.57:**

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

Emission Unit: U-CT204

Process: P65

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES24A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES24B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.58:**

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

Emission Unit: U-CT204

Process: P66

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR



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TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES24A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES24B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.59:**

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

Emission Unit: U-CT204

Process: P67

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES24A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES24B - Combustion  
Design Capacity: 262 million Btu per hour

**Item 53.60:**

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



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**Facility DEC ID: 2630400024**

Emission Unit: U-CT301

Process: P68

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES31A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES31B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.61:**

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

Emission Unit: U-CT301

Process: P69

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDE MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES31A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES31B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.62:**

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



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Emission Unit: U-CT301

Process: P70

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES31A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES31B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.63:**

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

Emission Unit: U-CT302

Process: P71

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NO<sub>x</sub> reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES32A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES32B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.64:**

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



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Emission Unit: U-CT302

Process: P72

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES32A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES32B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.65:**

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

Emission Unit: U-CT302

Process: P73

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES32A - Combustion

Design Capacity: 262 million Btu per hour

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Emission Source/Control: ES32B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.66:**

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

Emission Unit: U-CT303

Process: P74

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES33A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES33B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.67:**

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

Emission Unit: U-CT303

Process: P75

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES33A - Combustion

Design Capacity: 262 million Btu per hour

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Emission Source/Control: ES33B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.68:**

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

Emission Unit: U-CT303

Process: P76

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDES MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES33A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES33B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.69:**

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

Emission Unit: U-CT304

Process: P77

Source Classification Code: 2-01-002-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF PIPELINE NATURAL GAS IN A COMBUSTION TURBINE. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES34A - Combustion

Design Capacity: 262 million Btu per hour

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Emission Source/Control: ES34B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.70:**

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

Emission Unit: U-CT304

Process: P78

Source Classification Code: 2-01-001-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #2 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDE MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to be examples of possible unit utilization. Actual operation to be in accordance with the emission limitations identified in the Emission Unit portion of this permit.

Emission Source/Control: ES34A - Combustion

Design Capacity: 262 million Btu per hour

Emission Source/Control: ES34B - Combustion

Design Capacity: 262 million Btu per hour

**Item 53.71:**

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

Emission Unit: U-CT304

Process: P79

Source Classification Code: 2-01-009-01

Process Description:

THIS PROCESS IS THE COMBUSTION OF #1 DISTILLATE OIL IN A COMBUSTION TURBINE. IN ORDER TO IMPROVE COMBUSTION A FUEL ADDITIVE MAY BE MIXED WITH THE DISTILLATE OIL PRIOR TO COMBUSTION. IN ADDITION, WHEN FUEL OIL IS STORED FOR EXTENDED PERIODS, A BIOCIDE MAY BE ADDED TO PREVENT FOULING. Inlet water spray may be utilized for NOx reduction, as required. Throughputs listed under each process are intended to

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be examples of possible unit utilization.  
Actual operation to be in accordance with  
the emission limitations identified in the  
Emission Unit portion of this permit.

Emission Source/Control: ES34A - Combustion  
Design Capacity: 262 million Btu per hour

Emission Source/Control: ES34B - Combustion  
Design Capacity: 262 million Btu per hour

**Condition 54: Emission Unit Permissible Emissions**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 54.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00010

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 391 pounds per hour  
2,363,236 pounds per year

Emission Unit: U-00020

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 388 pounds per hour  
2,344,686 pounds per year

Emission Unit: U-00030

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 872 pounds per hour  
5,272,311 pounds per year

Emission Unit: U-CT001

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 26.7 pounds per hour  
234,155 pounds per year



Emission Unit: U-CT004

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 48.4 pounds per hour  
424,072 pounds per year

Emission Unit: U-CT005

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 48.4 pounds per hour  
424,072 pounds per year

Emission Unit: U-CT006

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 48.4 pounds per hour  
424,072 pounds per year

Emission Unit: U-CT007

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 48.4 pounds per hour  
424,072 pounds per year

Emission Unit: U-CT008

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 52.5 pounds per hour  
460,163 pounds per year

Emission Unit: U-CT009

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 52.5 pounds per hour  
460,163 pounds per year

Emission Unit: U-CT010

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

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PTE(s): 52.5 pounds per hour  
460,163 pounds per year

Emission Unit: U-CT011

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 52.5 pounds per hour  
460,163 pounds per year

Emission Unit: U-CT0S1

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 6.3 pounds per hour  
249 pounds per year

Emission Unit: U-CT0S4

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 6.3 pounds per hour  
249 pounds per year

Emission Unit: U-CT0S5

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 6.3 pounds per hour  
249 pounds per year

Emission Unit: U-CT0S6

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 6.3 pounds per hour  
249 pounds per year

Emission Unit: U-CT0S7

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 6.3 pounds per hour  
249 pounds per year

Emission Unit: U-CT201

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CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

Emission Unit: U-CT202

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

Emission Unit: U-CT203

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

Emission Unit: U-CT204

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

Emission Unit: U-CT301

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

Emission Unit: U-CT302

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

Emission Unit: U-CT303

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 107.9 pounds per hour  
117,443 pounds per year

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**Facility DEC ID: 2630400024**



Emission Unit: U-CT304

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 107.9 pounds per hour

117,443 pounds per year

**Condition 55: Process Permissible Emissions**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 55.1:**

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

Emission Unit: U-00010 Process: P01

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 145 pounds per hour

1,270,532 pounds per year

Emission Unit: U-00010 Process: P02

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 101 pounds per hour

883,848 pounds per year

Emission Unit: U-00010 Process: P03

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 145 pounds per hour

208,854 pounds per year

Emission Unit: U-00020 Process: P05

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 144 pounds per hour

1,260,559 pounds per year

Emission Unit: U-00020 Process: P06

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CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 100 pounds per hour  
876,000 pounds per year

Emission Unit: U-00020 Process: P07

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 144 pounds per hour  
207,215 pounds per year

Emission Unit: U-00030 Process: P09

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 324 pounds per hour  
2,834,521 pounds per year

Emission Unit: U-00030 Process: P10

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 225 pounds per hour  
1,971,841 pounds per year

Emission Unit: U-00030 Process: P11

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 324 pounds per hour  
465,948 pounds per year

Emission Unit: U-CT001 Process: P21

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 26.7 pounds per hour  
234,155 pounds per year

Emission Unit: U-CT004 Process: P24

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

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Emission Unit: U-CT004                      Process: P25

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

Emission Unit: U-CT004                      Process: P26

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.8 pounds per hour  
226,446 pounds per year

Emission Unit: U-CT005                      Process: P29

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

Emission Unit: U-CT005                      Process: P30

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

Emission Unit: U-CT005                      Process: P31

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.8 pounds per hour  
226,446 pounds per year

Emission Unit: U-CT006                      Process: P34

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

Emission Unit: U-CT006                      Process: P35

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour

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98,813 pounds per year

Emission Unit: U-CT006                      Process: P36

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.8 pounds per hour  
226,446 pounds per year

Emission Unit: U-CT007                      Process: P39

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

Emission Unit: U-CT007                      Process: P40

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 11.3 pounds per hour  
98,813 pounds per year

Emission Unit: U-CT007                      Process: P41

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.8 pounds per hour  
226,446 pounds per year

Emission Unit: U-CT008                      Process: P44

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 28 pounds per hour  
245,718 pounds per year

Emission Unit: U-CT008                      Process: P45

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT008                      Process: P46

CAS No: 000630-08-0

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Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT009                      Process: P47

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 28 pounds per hour  
245,718 pounds per year

Emission Unit: U-CT009                      Process: P48

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT009                      Process: P49

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT010                      Process: P50

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 28 pounds per hour  
245,718 pounds per year

Emission Unit: U-CT010                      Process: P51

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT010                      Process: P52

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT011                      Process: P53

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CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 28 pounds per hour  
245,718 pounds per year

Emission Unit: U-CT011                      Process: P54

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT011                      Process: P55

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 12.2 pounds per hour  
107,222 pounds per year

Emission Unit: U-CT0S1                      Process: P22

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
12.5 pounds per year

Emission Unit: U-CT0S1                      Process: P23

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S4                      Process: P27

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S4                      Process: P28

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

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Emission Unit: U-CT0S5                      Process: P32

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S5                      Process: P33

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S6                      Process: P37

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S6                      Process: P38

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S7                      Process: P42

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT0S7                      Process: P43

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 3.1 pounds per hour  
125 pounds per year

Emission Unit: U-CT201                      Process: P56

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



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PTE(s): 57.6 pounds per hour  
62,712 pounds per year

Emission Unit: U-CT201 Process: P57

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

PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT201 Process: P58

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

PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT202 Process: P59

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

PTE(s): 57.6 pounds per hour  
62,712 pounds per year

Emission Unit: U-CT202 Process: P60

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

PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT202 Process: P61

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

PTE(s): 25.2 pounds per hour  
37,365 pounds per year

Emission Unit: U-CT203 Process: P62

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

PTE(s): 57.6 pounds per hour  
62,712 pounds per year

Emission Unit: U-CT203 Process: P63

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**Facility DEC ID: 2630400024**



CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT203 Process: P64

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT204 Process: P65

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 57.6 pounds per hour  
62,712 pounds per year

Emission Unit: U-CT204 Process: P66

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT204 Process: P67

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.2 pounds per hour  
27,365 pounds per year

Emission Unit: U-CT301 Process: P68

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 57.6 pounds per hour  
62,712 pounds per year

Emission Unit: U-CT301 Process: P69

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 25.2 pounds per hour  
27,365 pounds per year



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27,365 pounds per year

Emission Unit: U-CT304 Process: P77

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 57.6 pounds per hour

62,712 pounds per year

Emission Unit: U-CT304 Process: P78

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 25.2 pounds per hour

27,365 pounds per year

Emission Unit: U-CT304 Process: P79

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 25.2 pounds per hour

27,365 pounds per year

**Condition 56: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 56.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES



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Upper Permit Limit: 0.1 pounds per million Btus  
Reference Test Method: EPA REF METHOD 5  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 57: Testing, monitoring, and reporting requirements for very large boilers.**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 57.1:**

This Condition applies to Emission Unit: U-00010

**Item 57.2:**

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

**Condition 58: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 227-1.4(b)**

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00010 Emission Point: 00010

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of

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downtime;

4) Total time the COMS is required to record data during the reporting period;

5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and

6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

The excess emission reports are due sixty (60) days after the end of each calendar quarter (January - March, April - June, July - September, October - December).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 59: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00020

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT



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Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 60: Testing, monitoring, and reporting requirements for very large boilers.**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 60.1:**

This Condition applies to Emission Unit: U-00020

**Item 60.2:**

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

**Condition 61: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 227-1.4(b)**

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00020 Emission Point: 00020

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;
- 4) Total time the COMS is required to record data during

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the reporting period;

5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and

6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

The excess emission reports are due sixty (60) days after the end of each calendar quarter (January - March, April - June, July - September, October - December).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 62: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00030

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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**Condition 63: Testing, monitoring, and reporting requirements for very large boilers.**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 63.1:**

This Condition applies to Emission Unit: U-00030

**Item 63.2:**

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

**Condition 64: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 227-1.4(b)**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00030 Emission Point: 00030

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;
- 4) Total time the COMS is required to record data during the reporting period;
- 5) The total number of exceedences and the duration of



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exceedences expressed as a percentage of the total time in which the COMS are required to record data; and

6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

The excess emission reports are due sixty (60) days after the end of each calendar quarter (January - March, April - June, July - September, October - December).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 65: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 66: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT009

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 66.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 67: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT010

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 67.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for singular gas turbines or multiple gas turbines ducted through a common stack, which



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fire liquid fuels, and that have a heat capacity exceeding  
250 mmBtu/hr.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 68: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT011

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 69: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 69.1:**

The Compliance Certification activity will be performed for:

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Emission Unit: U-CT201

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 70: Capping Monitoring Condition**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 70.1:**

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

6NYCRR 231-2

**Item 70.2:**

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

**Item 70.3:**

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

**Item 70.4:**



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

**Item 70.5:**

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

**Item 70.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT201 Emission Point: CT201

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 70.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department by 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 71: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**



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

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT202

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 72: Capping Monitoring Condition**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 72.1:**

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

6NYCRR 231-2

**Item 72.2:**

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

**Item 72.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating



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hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 72.4:**

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

**Item 72.5:**

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

**Item 72.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT202 Emission Point: CT202

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 72.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department by 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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**Condition 73: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT203

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 73.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 74: Capping Monitoring Condition**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 74.1:**

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

6NYCRR 231-2

**Item 74.2:**

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



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**Item 74.3:**

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

**Item 74.4:**

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

**Item 74.5:**

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

**Item 74.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT203 Emission Point: CT203

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 74.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department within 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

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Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 75: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT204

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 76: Capping Monitoring Condition**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 76.1:**

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

6NYCRR 231-2



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**Item 76.2:**

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

**Item 76.3:**

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

**Item 76.4:**

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

**Item 76.5:**

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

**Item 76.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT204 Emission Point: CT204

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 76.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours



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of operation report is prepared from this database and will be forwarded to the Department within 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 77: Compliance Certification**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 77.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT301

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 77.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 78: Capping Monitoring Condition**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 78.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following



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applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

**Item 78.2:**

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

**Item 78.3:**

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

**Item 78.4:**

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

**Item 78.5:**

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

**Item 78.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT301 Emission Point: CT301

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 78.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is



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continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department within 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 79: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 79.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT302

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 79.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 80: Capping Monitoring Condition**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

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**Item 80.1:**

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

6NYCRR 231-2

**Item 80.2:**

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

**Item 80.3:**

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

**Item 80.4:**

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

**Item 80.5:**

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

**Item 80.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT302 Emission Point: CT302

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 80.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order

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to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department within 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 81: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 81.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT303

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 81.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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**Condition 82: Capping Monitoring Condition**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 82.1:**

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

6NYCRR 231-2

**Item 82.2:**

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

**Item 82.3:**

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

**Item 82.4:**

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

**Item 82.5:**

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

**Item 82.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT303 Emission Point: CT303

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 82.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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**Monitoring Description:**

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department within 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 83: Compliance Certification**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 83.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT304

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 83.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA REF METHOD 5



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Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 84: Capping Monitoring Condition**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 84.1:**

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

6NYCRR 231-2

**Item 84.2:**

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

**Item 84.3:**

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

**Item 84.4:**

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

**Item 84.5:**

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

**Item 84.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CT304 Emission Point: CT304

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 84.7:**

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Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Emission Unit operates with an air inlet water spray system which reduces the emissions of oxides of nitrogen but increases the emissions of carbon monoxide. In order to cap out of the requirements of 6 NYCRR Part 231-2 for carbon monoxide, the Emission Unit will be limited to 3,463 hours of operation during any rolling 365 day period. The operational status of the Emission Unit is continuously monitored. Each hour, or portion of hour, during which the Unit is in operation is automatically recorded in an electronic database, which will be available for inspection. The 365 day rolling total hours of operation report is prepared from this database and will be forwarded to the Department within 60 days following the end of each quarter. The operation of the spray system is on an as needed basis.

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 85: Contaminant List**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: ECL 19-0301**

**Item 85.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this



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permit(emission limits, control requirements or compliance monitoring conditions).

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Name: CARBON MONOXIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

**Condition 86: Unavoidable noncompliance and violations**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 201-1.4**

**Item 86.1:**

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

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

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

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



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(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 87: Air pollution prohibited**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 87.1:**

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.

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

**Condition 88: Permit Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 88.1:**

This Condition applies to Emission Unit: U-00010

**Item 88.2:**

The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall: Submit to the department a complete NO<sub>x</sub> budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NO<sub>x</sub>BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NO<sub>x</sub> budget permit application and issue or deny a NO<sub>x</sub> budget permit.

The owners and operators of each NO<sub>x</sub> budget unit shall have a NO<sub>x</sub> budget permit and operate the unit in compliance with such NO<sub>x</sub> budget permit.

**Condition 89: Compliance Demonstration**

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**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 89.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 89.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

A NOx allowance allocated by the department under the Acid Deposition Reduction (ADR) NOx Budget Trading Program is a limited authorization to emit one ton of NOx in accordance with the ADR NOx Budget Trading Program. No provision of



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the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 90: Recordkeeping and Reporting Requirements  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 90.1:**

This Condition applies to Emission Unit: U-00010

**Item 90.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.



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

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 91: Liability**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 91.1:**

This Condition applies to Emission Unit: U-00010

**Item 91.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 92: Effect on other Authorities**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 92.1:**

This Condition applies to Emission Unit: U-00010

**Item 92.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 93: Authorization and responsibilities of the NOx authorized account representative**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**



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**Item 93.1:**

This Condition applies to Emission Unit: U-00010

**Item 93.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 94: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**



**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 94.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 94.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the

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statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

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



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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 95: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 95.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 95.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 96: Permit Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(a)**

**Item 96.1:**

This Condition applies to Emission Unit: U-00010

**Item 96.2:**

The SO2 authorized account representative of each SO2 budget unit shall:

(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2; which states the later of October 1, 2004 or 12 months before the date on which the SO2 budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO2 budget permit application and issue or deny an SO2 budget permit.

The owners and operators of each SO2 budget unit shall have an SO2 budget permit and operate the unit in compliance with such SO2 budget permit.

**Condition 97: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 97.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 97.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall:  
Forfeit the SO<sub>2</sub> allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 98: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 98.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 98.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO<sub>2</sub> authorized account representative for the source and each SO<sub>2</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO<sub>2</sub> authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO<sub>2</sub> Budget Trading Program;

Copies of all documents used to complete an SO<sub>2</sub> budget permit application and any other submission under the ADR SO<sub>2</sub> Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading



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Program;

The SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall submit the reports and compliance certifications required under the ADR SO<sub>2</sub> Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 99: Liability**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(f)**

**Item 99.1:**  
This Condition applies to Emission Unit: U-00010

**Item 99.2:**  
No permit revision shall excuse any violation of the requirements of the ADR SO<sub>2</sub> Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget source (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source) shall also apply to the owners and operators of such source and of the SO<sub>2</sub> budget units at the source;

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget unit (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO<sub>2</sub> authorized account representative of one SO<sub>2</sub> budget unit shall not be liable for any violation by any other SO<sub>2</sub> budget unit of which they are not owners or operators or the SO<sub>2</sub> authorized account representative and that is located at a source of which they are not owners or operators or the SO<sub>2</sub> authorized account representative.

**Condition 100: Effect on Other Authorities**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(g)**

**Item 100.1:**  
This Condition applies to Emission Unit: U-00010

**Item 100.2:**  
No provision of the ADR SO<sub>2</sub> Budget Trading Program, an SO<sub>2</sub> budget permit application, or an SO<sub>2</sub>



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budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source or SO<sub>2</sub> budget unit from compliance with any other provisions of applicable State and federal law and regulation.

**Condition 101: Submissions to the Department**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-2.1**

**Item 101.1:**

This Condition applies to Emission Unit: U-00010

**Item 101.2:**

Each submission under the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO<sub>2</sub> authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO<sub>2</sub> budget sources or SO<sub>2</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 102: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-4.1**

**Item 102.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 102.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance

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certification report for each source covering all such units; as per NYCRR 238-4.

The SO<sub>2</sub> authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO<sub>2</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each SO<sub>2</sub> budget unit;
- (2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and
- (5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

- (a) whether the unit was operated in compliance with the

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SO2 budget emissions limitation;

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 103: Submission of SO2 allowance transfers**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-7.1**

**Item 103.1:**

This Condition applies to Emission Unit: U-00010

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**Item 103.2:**

The SO<sub>2</sub> authorized account representatives seeking recordation of an SO<sub>2</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO<sub>2</sub> allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO<sub>2</sub> allowance to be transferred; and
- (c) the printed name and signature of the SO<sub>2</sub> authorized account representative of the transferor account and the date signed.

**Condition 104: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-8**

**Item 104.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

**Item 104.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 1/30/2007.

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

**Condition 105: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 227-1.4(a)**

**Item 105.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010 Emission Point: 00010

**Item 105.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a total maximum heat input capacity exceeding 250 million Btu per hour shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity, and when sulfur dioxide continuous monitoring is required by Part 225 of this Title, for continuously monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.

Opacity monitoring reports are due sixty (60) days after the end of each calendar quarter (January - March, April - June, July - September, October - December).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, App. B

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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**Condition 106: Permit Requirements**

Effective between the dates of 12/06/2006 and 12/05/2011

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 106.1:**

This Condition applies to Emission Unit: U-00020

**Item 106.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 107: Compliance Demonstration**

Effective between the dates of 12/06/2006 and 12/05/2011

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 107.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 107.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.



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A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 108: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 108.1:**



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This Condition applies to Emission Unit: U-00020

**Item 108.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 109: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 109.1:**

This Condition applies to Emission Unit: U-00020

**Item 109.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.



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**Condition 110: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 110.1:**

This Condition applies to Emission Unit: U-00020

**Item 110.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 111: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 111.1:**

This Condition applies to Emission Unit: U-00020

**Item 111.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.



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Each submission under the ADR NO<sub>x</sub> Budget Trading Program shall be submitted, signed, and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NO<sub>x</sub> budget source or a NO<sub>x</sub> budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 112: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 112.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 112.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NO<sub>x</sub> budget units at a source are subject to the NO<sub>x</sub> budget emissions limitation, the NO<sub>x</sub> authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NO<sub>x</sub> authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NO<sub>x</sub> budget emissions limitation for the control period covered by the report:

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- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

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

- (a) whether the unit was operated in compliance with the NOx budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;
- (c) whether all the NOx emissions from the unit, or a

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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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 113: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 113.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 113.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget unit, shall comply with the monitoring and reporting



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requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 114: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(a)**

**Item 114.1:**

This Condition applies to Emission Unit: U-00020

**Item 114.2:**

The SO2 authorized account representative of each SO2 budget unit shall:

(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2; which states the later of October 1, 2004 or 12 months before the date on which the SO2 budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO2 budget permit application and issue or deny an SO2 budget permit.

The owners and operators of each SO2 budget unit shall have an SO2 budget permit and operate the unit in compliance with such SO2 budget permit.

**Condition 115: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 115.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 115.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No



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provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall:  
Forfeit the SO<sub>2</sub> allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 116: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 116.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 116.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO<sub>2</sub> authorized account representative for the source and each

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SO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO2 authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 117: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(f)**

**Item 117.1:**

This Condition applies to Emission Unit: U-00020

**Item 117.2:**

No permit revision shall excuse any violation of the requirements of the ADR SO2 Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget source (including a provision applicable to the SO2 authorized account representative of an SO2 budget source) shall also



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apply to the owners and operators of such source and of the SO<sub>2</sub> budget units at the source;

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget unit (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO<sub>2</sub> authorized account representative of one SO<sub>2</sub> budget unit shall not be liable for any violation by any other SO<sub>2</sub> budget unit of which they are not owners or operators or the SO<sub>2</sub> authorized account representative and that is located at a source of which they are not owners or operators or the SO<sub>2</sub> authorized account representative.

**Condition 118: Effect on Other Authorities**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(g)**

**Item 118.1:**

This Condition applies to Emission Unit: U-00020

**Item 118.2:**

No provision of the ADR SO<sub>2</sub> Budget Trading Program, an SO<sub>2</sub> budget permit application, or an SO<sub>2</sub> budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source or SO<sub>2</sub> budget unit from compliance with any other provisions of applicable State and federal law and regulation.

**Condition 119: Submissions to the Department**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-2.1**

**Item 119.1:**

This Condition applies to Emission Unit: U-00020

**Item 119.2:**

Each submission under the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO<sub>2</sub> authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO<sub>2</sub> budget sources or SO<sub>2</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."



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**Condition 120: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-4.1**

**Item 120.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 120.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO<sub>2</sub> authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO<sub>2</sub> budget emissions limitation for the control period covered by the report:

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

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

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

In the compliance certification report, the SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO<sub>2</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

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

(e) if a change is required to be reported under (4)



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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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 121: Submission of SO2 allowance transfers**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-7.1**

**Item 121.1:**

This Condition applies to Emission Unit: U-00020

**Item 121.2:**

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

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

**Condition 122: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-8**

**Item 122.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020

**Item 122.2:**

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 123: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 227-1.4(a)**

**Item 123.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00020 Emission Point: 00020

**Item 123.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a total maximum heat input capacity exceeding 250 million Btu per hour shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and



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recording opacity, and when sulfur dioxide continuous monitoring is required by Part 225 of this Title, for continuously monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.

Opacity monitoring reports are due sixty (60) days after the end of each calendar quarter (January - March, April - June, July - September, October - December).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, App. B

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 124: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 124.1:**

This Condition applies to Emission Unit: U-00030

**Item 124.2:**

The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall: Submit to the department a complete NO<sub>x</sub> budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NO<sub>x</sub>BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NO<sub>x</sub> budget permit application and issue or deny a NO<sub>x</sub> budget permit.

The owners and operators of each NO<sub>x</sub> budget unit shall have a NO<sub>x</sub> budget permit and operate the unit in compliance with such NO<sub>x</sub> budget permit.

**Condition 125: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 125.1:**

The Compliance Demonstration activity will be performed for:

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**Item 125.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under NYCRR 237-6.5, as of the NO<sub>x</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO<sub>x</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of applicable State law.

A NO<sub>x</sub> budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.

A NO<sub>x</sub> allowance allocated by the department under the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the ADR NO<sub>x</sub> Budget Trading Program. No provision of the ADR NO<sub>x</sub> Budget Trading Program, the NO<sub>x</sub> budget permit application, or the NO<sub>x</sub> budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NO<sub>x</sub> allowance allocated by the department under the ADR NO<sub>x</sub> Budget Trading Program does not constitute a property

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right.

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 126: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 126.1:**

This Condition applies to Emission Unit: U-00030

**Item 126.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

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**Condition 127: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 127.1:**

This Condition applies to Emission Unit: U-00030

**Item 127.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 128: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 128.1:**

This Condition applies to Emission Unit: U-00030

**Item 128.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 129: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 129.1:**

This Condition applies to Emission Unit: U-00030

**Item 129.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all



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matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, not withstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 130: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 130.1:**

The Compliance Demonstration activity will be performed for:

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**Item 130.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NO<sub>x</sub> budget units at a source are subject to the NO<sub>x</sub> budget emissions limitation, the NO<sub>x</sub> authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NO<sub>x</sub> authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NO<sub>x</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each NO<sub>x</sub> budget unit;
- (2) except in instances when the NO<sub>x</sub> budget unit seeks to use future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable

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inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction (ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.



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

**Condition 131: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 131.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00030

**Item 131.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 132: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**



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**Applicable State Requirement: 6NYCRR 238-1.6(a)**

**Item 132.1:**

This Condition applies to Emission Unit: U-00030

**Item 132.2:**

The SO<sub>2</sub> authorized account representative of each SO<sub>2</sub> budget unit shall:

(i) submit to the department a complete SO<sub>2</sub> budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2; which states the later of October 1, 2004 or 12 months before the date on which the SO<sub>2</sub> budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO<sub>2</sub> budget permit application and issue or deny an SO<sub>2</sub> budget permit.

The owners and operators of each SO<sub>2</sub> budget unit shall have an SO<sub>2</sub> budget permit and operate the unit in compliance with such SO<sub>2</sub> budget permit.

**Condition 133: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

**Item 133.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00030

**Item 133.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.



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An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall:  
Forfeit the SO<sub>2</sub> allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 134: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

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

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**Item 134.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00030

**Item 134.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO<sub>2</sub> authorized account representative for the source and each SO<sub>2</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO<sub>2</sub> authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO<sub>2</sub> Budget Trading Program;

Copies of all documents used to complete an SO<sub>2</sub> budget permit application and any other submission under the ADR SO<sub>2</sub> Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program;

The SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall submit the reports and compliance certifications required under the ADR SO<sub>2</sub> Budget Trading Program, including those under NYCRR 238-4, or 238-8.

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Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 135: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(f)**

**Item 135.1:**

This Condition applies to Emission Unit: U-00030

**Item 135.2:**

No permit revision shall excuse any violation of the requirements of the ADR SO<sub>2</sub> Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget source (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source) shall also apply to the owners and operators of such source and of the SO<sub>2</sub> budget units at the source;

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget unit (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO<sub>2</sub> authorized account representative of one SO<sub>2</sub> budget unit shall not be liable for any violation by any other SO<sub>2</sub> budget unit of which they are not owners or operators or the SO<sub>2</sub> authorized account representative and that is located at a source of which they are not owners or operators or the SO<sub>2</sub> authorized account representative.

**Condition 136: Effect on Other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-1.6(g)**

**Item 136.1:**

This Condition applies to Emission Unit: U-00030

**Item 136.2:**

No provision of the ADR SO<sub>2</sub> Budget Trading Program, an SO<sub>2</sub> budget permit application, or an SO<sub>2</sub> budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source or SO<sub>2</sub> budget unit from compliance with any other provisions of applicable State and federal law and regulation.

**Condition 137: Submissions to the Department**

**Effective between the dates of 12/06/2006 and 12/05/2011**



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**Applicable State Requirement: 6NYCRR 238-2.1**

**Item 137.1:**

This Condition applies to Emission Unit: U-00030

**Item 137.2:**

Each submission under the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO<sub>2</sub> authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO<sub>2</sub> budget sources or SO<sub>2</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 138: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-4.1**

**Item 138.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00030

**Item 138.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO<sub>2</sub> authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO<sub>2</sub> budget emissions

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limitation for the control period covered by the report:

- (1) identification of each SO<sub>2</sub> budget unit;
- (2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and
- (5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

- (a) whether the unit was operated in compliance with the SO<sub>2</sub> budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

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(c) whether all the SO<sub>2</sub> emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 139: Submission of SO<sub>2</sub> allowance transfers**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-7.1**

**Item 139.1:**

This Condition applies to Emission Unit: U-00030

**Item 139.2:**

The SO<sub>2</sub> authorized account representatives seeking recordation of an SO<sub>2</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO<sub>2</sub> allowance transfer shall include the following elements in a format specified by the department or its agent:



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- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO<sub>2</sub> allowance to be transferred; and
- (c) the printed name and signature of the SO<sub>2</sub> authorized account representative of the transferor account and the date signed.

**Condition 140: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 238-8**

**Item 140.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00030

**Item 140.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 141: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 227-1.4(a)**

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**Item 141.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00030 Emission Point: 00030

**Item 141.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a total maximum heat input capacity exceeding 250 million Btu per hour shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity, and when sulfur dioxide continuous monitoring is required by Part 225 of this Title, for continuously monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.

Opacity monitoring reports are due sixty (60) days after the end of each calendar quarter (January - March, April - June, July - September, October - December).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, App. B

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 142: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 142.1:**

This Condition applies to Emission Unit: U-CT201

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**Item 142.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 143: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 143.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT201

**Item 143.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and

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237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 144: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 144.1:**

This Condition applies to Emission Unit: U-CT201

**Item 144.2:**

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



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- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 145: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 145.1:**

This Condition applies to Emission Unit: U-CT201

**Item 145.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 146: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 146.1:**

This Condition applies to Emission Unit: U-CT201

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**Item 146.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 147: Authorization and responsibilities of the NOx authorized account representative  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 147.1:**

This Condition applies to Emission Unit: U-CT201

**Item 147.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

Each submission under the ADR NOx Budget Trading Program shall be submitted, signed, and certified by the NOx authorized account representative for each NOx budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NOx authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals



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with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 148: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 148.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT201

**Item 148.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

(1) identification of each NOx budget unit;

(2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial

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numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;

(3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data



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has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 149: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 149.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT201

**Item 149.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as



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defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 150: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 150.1:**

This Condition applies to Emission Unit: U-CT202

**Item 150.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 151: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 151.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT202

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**Item 151.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under NYCRR 237-6.5, as of the NO<sub>x</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO<sub>x</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of applicable State law.

A NO<sub>x</sub> budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.

A NO<sub>x</sub> allowance allocated by the department under the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the ADR NO<sub>x</sub> Budget Trading Program. No provision of the ADR NO<sub>x</sub> Budget Trading Program, the NO<sub>x</sub> budget permit application, or the NO<sub>x</sub> budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NO<sub>x</sub> allowance allocated by the department under the ADR NO<sub>x</sub> Budget Trading Program does not constitute a property right.



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The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 152: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 152.1:**

This Condition applies to Emission Unit: U-CT202

**Item 152.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 153: Liability**



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**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 153.1:**

This Condition applies to Emission Unit: U-CT202

**Item 153.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 154: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 154.1:**

This Condition applies to Emission Unit: U-CT202

**Item 154.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 155: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 155.1:**

This Condition applies to Emission Unit: U-CT202

**Item 155.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

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The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 156: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 156.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT202

**Item 156.2:**

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Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NO<sub>x</sub> budget units at a source are subject to the NO<sub>x</sub> budget emissions limitation, the NO<sub>x</sub> authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NO<sub>x</sub> authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NO<sub>x</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each NO<sub>x</sub> budget unit;
- (2) except in instances when the NO<sub>x</sub> budget unit seeks to use future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the

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source in compliance with the Acid Deposition Reduction (ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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



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**Condition 157: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 157.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT202

**Item 157.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 158: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**



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**Item 158.1:**

This Condition applies to Emission Unit: U-CT203

**Item 158.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 159: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 159.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT203

**Item 159.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.



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NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 160: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 160.1:**

This Condition applies to Emission Unit: U-CT203

**Item 160.2:**

Unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget



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unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department:

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 161: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 161.1:**

This Condition applies to Emission Unit: U-CT203

**Item 161.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 162: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**



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**Item 162.1:**

This Condition applies to Emission Unit: U-CT203

**Item 162.2:**

No provision of the ADR NO<sub>x</sub> Budget Trading Program, a NO<sub>x</sub> budget permit application, or a NO<sub>x</sub> budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source or NO<sub>x</sub> budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 163: Authorization and responsibilities of the NO<sub>x</sub> authorized account representative  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 163.1:**

This Condition applies to Emission Unit: U-CT203

**Item 163.2:**

Except as provided under NYCRR 237-2.2, each NO<sub>x</sub> budget source, including all NO<sub>x</sub> budget units at the source, shall have one and only one NO<sub>x</sub> authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program concerning the source or any NO<sub>x</sub> budget unit at the source.

The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source shall be selected by an agreement binding on the owners and operators of the source and all NO<sub>x</sub> budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NO<sub>x</sub> authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NO<sub>x</sub> budget source represented and each NO<sub>x</sub> budget unit at the source in all matters pertaining to the ADR NO<sub>x</sub> Budget Trading Program, notwithstanding any agreement between the NO<sub>x</sub> authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NO<sub>x</sub> authorized account representative by the department or a court regarding the source or unit.

No NO<sub>x</sub> budget permit shall be issued, and no NO<sub>x</sub> Allowance Tracking System account shall be established for a NO<sub>x</sub> budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NO<sub>x</sub> authorized account representative of the source and the NO<sub>x</sub> budget units at the source.

Each submission under the ADR NO<sub>x</sub> Budget Trading Program shall be submitted, signed, and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners



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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 164: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 164.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT203

**Item 164.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to

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use future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;

(3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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



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in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 165: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 165.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT203

**Item 165.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected



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unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 166: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 166.1:**

This Condition applies to Emission Unit: U-CT204

**Item 166.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 167: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 167.1:**

The Compliance Demonstration activity will be performed for:

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Emission Unit: U-CT204

**Item 167.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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

A NOx allowance allocated by the department under the ADR



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NOx Budget Trading Program does not constitute a property right.

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 168: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 168.1:**

This Condition applies to Emission Unit: U-CT204

**Item 168.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget



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Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 169: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 169.1:**

This Condition applies to Emission Unit: U-CT204

**Item 169.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 170: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 170.1:**

This Condition applies to Emission Unit: U-CT204

**Item 170.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 171: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 171.1:**

This Condition applies to Emission Unit: U-CT204

**Item 171.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units



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at the source, shall have one and only one NO<sub>x</sub> authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program concerning the source or any NO<sub>x</sub> budget unit at the source.

The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source shall be selected by an agreement binding on the owners and operators of the source and all NO<sub>x</sub> budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NO<sub>x</sub> authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NO<sub>x</sub> budget source represented and each NO<sub>x</sub> budget unit at the source in all matters pertaining to the ADR NO<sub>x</sub> Budget Trading Program, notwithstanding any agreement between the NO<sub>x</sub> authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NO<sub>x</sub> authorized account representative by the department or a court regarding the source or unit.

No NO<sub>x</sub> budget permit shall be issued, and no NO<sub>x</sub> Allowance Tracking System account shall be established for a NO<sub>x</sub> budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NO<sub>x</sub> authorized account representative of the source and the NO<sub>x</sub> budget units at the source.

Each submission under the ADR NO<sub>x</sub> Budget Trading Program shall be submitted, signed, and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NO<sub>x</sub> budget source or a NO<sub>x</sub> budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 172: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 172.1:**

The Compliance Demonstration activity will be performed for:

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Emission Unit: U-CT204

**Item 172.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NOx authorized

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

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

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 1/30/2007.

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

**Condition 173: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 173.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT204

**Item 173.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 174: Permit Requirements**



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**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 174.1:**

This Condition applies to Emission Unit: U-CT301

**Item 174.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 175: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 175.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT301

**Item 175.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements

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under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 176: Recordkeeping and Reporting Requirements  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 176.1:**

This Condition applies to Emission Unit: U-CT301

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**Item 176.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 177: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 177.1:**

This Condition applies to Emission Unit: U-CT301

**Item 177.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 178: Effect on other Authorities**



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**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 178.1:**

This Condition applies to Emission Unit: U-CT301

**Item 178.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 179: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 179.1:**

This Condition applies to Emission Unit: U-CT301

**Item 179.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

Each submission under the ADR NOx Budget Trading Program shall be submitted, signed, and



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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 180: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 180.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT301

**Item 180.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

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- (1) identification of each NO<sub>x</sub> budget unit;
- (2) except in instances when the NO<sub>x</sub> budget unit seeks to use future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

- (a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;
- (c) whether all the NO<sub>x</sub> emissions from the unit, or a group of units (including the unit) using a common stack,

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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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 181: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 181.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT301

**Item 181.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in



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Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 182: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 182.1:**

This Condition applies to Emission Unit: U-CT302

**Item 182.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 183: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

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**Item 183.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT302

**Item 183.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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



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to terminate or limit such authorization.

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 184: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 184.1:**

This Condition applies to Emission Unit: U-CT302

**Item 184.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

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The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 185: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 185.1:**

This Condition applies to Emission Unit: U-CT302

**Item 185.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 186: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 186.1:**

This Condition applies to Emission Unit: U-CT302

**Item 186.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 187: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 187.1:**

This Condition applies to Emission Unit: U-CT302



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**Item 187.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 188: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

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**Item 188.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT302

**Item 188.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NO<sub>x</sub> budget units at a source are subject to the NO<sub>x</sub> budget emissions limitation, the NO<sub>x</sub> authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NO<sub>x</sub> authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NO<sub>x</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each NO<sub>x</sub> budget unit;
- (2) except in instances when the NO<sub>x</sub> budget unit seeks to use future control period NO<sub>x</sub> allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and



(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 189: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 189.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT302

**Item 189.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.



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

**Condition 190: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 190.1:**

This Condition applies to Emission Unit: U-CT303

**Item 190.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 191: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 191.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT303

**Item 191.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation

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of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

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

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 192: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

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**Item 192.1:**

This Condition applies to Emission Unit: U-CT303

**Item 192.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 193: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 193.1:**

This Condition applies to Emission Unit: U-CT303

**Item 193.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are



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not owners or operators or the NOx authorized account representative.

**Condition 194: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 194.1:**

This Condition applies to Emission Unit: U-CT303

**Item 194.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 195: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**

**Item 195.1:**

This Condition applies to Emission Unit: U-CT303

**Item 195.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative



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of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 196: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 196.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT303

**Item 196.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NOx

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budget emissions limitation for the control period covered by the report:

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

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

- (a) whether the unit was operated in compliance with the NOx budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;

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(c) whether all the NO<sub>x</sub> 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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 197: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 197.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT303

**Item 197.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable,



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the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 198: Permit Requirements**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(a)**

**Item 198.1:**

This Condition applies to Emission Unit: U-CT304

**Item 198.2:**

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

**Condition 199: Compliance Demonstration**



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**Applicable State Requirement: 6NYCRR 237-1.6(c)**

**Item 199.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT304

**Item 199.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

A NOx allowance allocated by the department under the Acid Deposition Reduction (ADR) NOx Budget Trading Program is a limited authorization to emit one ton of NOx in accordance with the ADR NOx Budget Trading Program. No provision of



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the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

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

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 200: Recordkeeping and Reporting Requirements  
Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**

**Item 200.1:**

This Condition applies to Emission Unit: U-CT304

**Item 200.2:**

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.



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

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

**Condition 201: Liability**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(f)**

**Item 201.1:**

This Condition applies to Emission Unit: U-CT304

**Item 201.2:**

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

**Condition 202: Effect on other Authorities**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 202.1:**

This Condition applies to Emission Unit: U-CT304

**Item 202.2:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 203: Authorization and responsibilities of the NOx authorized account representative**

**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-2**



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**Item 203.1:**

This Condition applies to Emission Unit: U-CT304

**Item 203.2:**

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**Condition 204: Compliance Demonstration**

**Effective between the dates of 12/06/2006 and 12/05/2011**



**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 204.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT304

**Item 204.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the

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statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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 NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

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



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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 205: Compliance Demonstration**  
**Effective between the dates of 12/06/2006 and 12/05/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 205.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-CT304

**Item 205.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).