New York State Department of Environmental Conservation
Facility DEC ID: 2630800040

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6308-00040/00011
Mod 0 Effective Date: 05/08/2002 Expiration Date: 05/07/2007

Mod 1 Effective Date: 03/02/2004 Expiration Date: 05/07/2007

Mod 2 Effective Date: 06/17/2004 Expiration Date: 05/07/2007

Mod 3 Effective Date: 04/13/2005 Expiration Date: 05/07/2007

Permit Issued To: KEYSPAN CORPORATE SERVICES LLC
445 BROAD HOLLOW RD
MELVILLE, NY 11747

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

Facility: KEYSPAN GENERATION-FAR ROCKAWAY STATION
1425 BAY 24TH STREET
FAR ROCKAWAY, NY 11691

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

Description:
The modification reflects permit changes required by USEPA in the order signed on September 24, 2004, in response to an objection of this permit filed by NYPIRG .

The Far Rockaway Power Station of Keyspan Generation LLC consists of one 100 MWe turbine/generator boiler sets operating on pipeline natural gas, #1, #2, and #6 fuel oils. This boiler has the ability to burn waste oil generated on site for energy recovery. Facility also has a 12.6 mmbtu/hr gas fired steam boiler used to supply building heat and steam during main boiler start up.

New York State Department of Environmental Conservation
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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.

New York State Department of Environmental Conservation
Facility DEC ID: 2630800040

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 and Modifications
Permit Modifications, Suspensions and 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 enforcable 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 1-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 1-1.1:
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 1-1.2:
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 1-1.3:

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 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Expired by Mod No: 1

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.

Condition 1-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 1-2.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

Item 4.1:
The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

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

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

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

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:

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

New York State Department of Environmental Conservation
Permit ID: 2-6308-00040/00011 Facility DEC ID: 2630800040

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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445 BROAD HOLLOW RD
MELVILLE, NY 11747

Facility: KEYSPAN GENERATION-FAR ROCKAWAY STATION
1425 BAY 24TH STREET
FAR ROCKAWAY, NY 11691

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

Mod 0 Permit Effective Date: 05/08/2002	Permit Expiration Date: 05/07/2007
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LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

21 6NYCRR 201-6: Emission Unit Definition
1-1 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
1-2 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
3-1 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
23 6NYCRR 201-6.5(e): Compliance Certification
25 6NYCRR 202-2.1: Compliance Certification
26 6NYCRR 202-2.5: Recordkeeping requirements
27 6NYCRR 207: Compliance Certification
3-2 6NYCRR 211.3: Visible Emissions Limited
29 6NYCRR 211.3: Compliance Certification
30 6NYCRR 211.3: Compliance Certification
32 6NYCRR 225-1.2(a)(2): Compliance Certification
33 6NYCRR 225-1.2(a)(2): Compliance Certification
34 6NYCRR 225-1.8(a): Compliance Certification
35 6NYCRR 227-2: Compliance Certification
3-3 40CFR 68: Accidental release provisions.
1-4 40CFR 72: Compliance Certification

Emission Unit Level

39 6NYCRR 201-6: Emission Point Definition By Emission Unit
40 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001

41 6NYCRR 204-1.6: Permits requirements.
42 6NYCRR 204-2.1: Submissions to the Department.
43 6NYCRR 204-4.1: Content of reports and compliance certifications.
44 6NYCRR 204-4.1: Discretionary report contents.
45 6NYCRR 204-4.1: Compliance Certification
46 6NYCRR 204-7.1: Submission of NOx allowance transfers.
47 6NYCRR 204-8.1: General provisions.
48 6NYCRR 204-8.1: Prohibitions.
49 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
50 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
51 6NYCRR 204-8.2: Compliance Certification
52 6NYCRR 204-8.3: Out of control periods.
53 6NYCRR 204-8.4: Compliance Certification
54 6NYCRR 204-8.7: Compliance Certification
55 6NYCRR 227-1.3(a): Compliance Plan
56 6NYCRR 227-2.5(b): Compliance Certification

EU=U-00001,Proc=P05
3-4 6NYCRR 225-2.3(b)(1): Compliance Certification
3-5 6NYCRR 225-2.4: Compliance Certification
3-6 6NYCRR 225-2.6: Compliance Certification

EU=U-00001,Proc=P05,ES=00040
3-7 6NYCRR 225-2.7: Compliance Certification

EU=U-00001,EP=00001

65 6NYCRR 227-1.3(a): Compliance Certification
66 6NYCRR 227-1.4(b): Compliance Certification
67 6NYCRR 227-2.6(a)(1): Testing, monitoring, and reporting requirements for very large boilers.

EU=U-00001,EP=00001,Proc=P01,ES=00040
68 6NYCRR 227-1.2(a)(1): Compliance Certification

EU=U-00001,EP=00001,Proc=P02,ES=00040
69 6NYCRR 227-1.2(a)(1): Compliance Certification

EU=U-00001,EP=00001,Proc=P03,ES=00040
70 6NYCRR 227-1.2(a)(1): Compliance Certification

EU=U-00001,EP=00001,Proc=P05
71 6NYCRR 227-1.5: Multiple fuels particulate matter emission rate.

EU=U-00001,EP=00001,Proc=P05,ES=00040
72 6NYCRR 227-1.2(a)(1): Compliance Certification

EU=U-HB001,EP=HB001

73 6NYCRR 227-1.3(a): Compliance Certification
74 6NYCRR 227-1.3(a): Compliance Certification

EU=U-HB001,EP=HB001,Proc=P25,ES=ES002
75 6NYCRR 227.2(b)(1): Compliance Certification

EU=U-HB001,EP=HB001,Proc=P26,ES=ES002
76 6NYCRR 227.2(b)(1): Compliance Certification

EU=U-HB002,Proc=P97,ES=ES003
2-1 6NYCRR 227-2.4(d): Compliance Certification
2-2 40CFR 60.48c, NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level

1-5 ECL 19-0301: Contaminant List
77 6NYCRR 201-1.4: Unavoidable noncompliance and violations
80 6NYCRR 211.2: Air pollution prohibited
Emission Unit Level

EU=U-00001,EP=00001,Proc=P01,ES=00040
81 6NYCRR 227-1.4(a): Compliance Demonstration

EU=U-00001,EP=00001,Proc=P02,ES=00040
82 6NYCRR 227-1.4(a): Compliance Demonstration

EU=U-00001,EP=00001,Proc=P03,ES=00040
83 6NYCRR 227-1.4(a): Compliance Demonstration

EU=U-00001,EP=00001,Proc=P04,ES=00040
84 6NYCRR 227-1.4(a): Compliance Demonstration

EU=U-00001,EP=00001,Proc=P05,ES=00040
85 6NYCRR 227-1.4(a): Compliance Demonstration

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

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

Item A: **Sealing - 6NYCRR Part 200.5**

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

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

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

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

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

Item C: **Maintenance of Equipment - 6NYCRR Part 200.7**

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

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

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

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
(4) The facility owner and/or operator notified the

Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

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

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

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject

to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: **Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

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

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

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

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

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

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

renewal application.

Item N: **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item O: **Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)**
The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Item P: **Cessation or Reduction of Permitted Activity Not a Defense - 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 order to maintain compliance with the conditions of this permit.

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

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

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

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

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

Upon presentation of credentials and other documents, as

may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

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

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

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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

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

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

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

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

ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive

or corrective measures adopted.

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

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or

contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

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

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

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

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

Proceedings to reopen and issue Title V facility permits

shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

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

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

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

Item Z: **Visible Emissions Limited - 6 NYCRR Part 211.3**
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Item AA: **Open Fires - 6 NYCRR Part 215**
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item BB: **Permit Exclusion - ECL 19-0305**
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to

the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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.

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

Condition 21: Emission Unit Definition
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 201-6

Item 21.1(From Mod 3):
The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-00001
Emission Unit Description:
This unit is a 100 MWe turbine/generator boiler set firing pipeline natural gas, #6, #1, or #2 fuel oils. In addition, this boiler may co-fire waste oil for energy recovery. Exhaust is through emission point 00001.

Building(s): HOUSE BOIL

Item 21.2(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-HB001 End Date: 12/31/2004
Emission Unit Description:
This unit is an industrial steam boiler used to supply building heat.

Building(s): HOUSE BOIL

Item 21.3(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-HB002
Emission Unit Description:
This emission unit is a 300 BHP (12.6 mmbtu/hr heat input) Hurst Series 400 three pass wet back scotch boiler.

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 1-1: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 03/02/2004 and 05/07/2007

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

Item 1-1.1:
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 1-2: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 03/02/2004 and 05/07/2007

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

Item 1-2.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 3-1: Compliance Certification
Effective between the dates of 04/13/2005 and 05/07/2007

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

Item 3-1.1:
The Compliance Certification activity will be performed for the Facility.

Item 3-1.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
To meet the requirements of this facility permit with respect to reporting, the permittee must:

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

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

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

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

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

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

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

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during

start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 23: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 23.1:
The Compliance Certification activity will be performed for the Facility.

Item 23.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

i. Compliance certifications shall contain:
- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring

and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

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

The address for the BCME is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2003.
Subsequent reports are due on the same day each year

Condition 25: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 25.1:
The Compliance Certification activity will be performed for the Facility.

Item 25.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
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 26: Recordkeeping requirements
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 26.1:
(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

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

Condition 27: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 207

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

Item 27.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

An episode action plan for this source of air contamination must be submitted within 90 days upon the request of the Commissioner. The plan shall contain detailed steps which will be taken by the owner to reduce air contaminant emissions during each stage of an air

pollution episode.
Any person who owns an air contamination source for which an episode action plan has been issued or approved shall take whatever actions are prescribed by this episode action plan when an air pollution episode is in effect

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

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 3-2: Visible Emissions Limited
Effective between the dates of 04/13/2005 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 3-2.1:
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 29: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 29.1:
The Compliance Certification activity will be performed for the Facility.

Item 29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Except as permitted by a specific part of Title 6 of the

NYCRR, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

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

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

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

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

Parameter Monitored: OPACITY
Upper Permit Limit: 57 percent
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: ONE CONTINUOUS 6-MINUTE PERIOD PER HOUR
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 211.3

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

Except as permitted by a specific part of Title 6 of the NYCRR, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a

bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

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

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

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

The following conditions are subject to annual compliance certification requirements

Condition 32: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 32.1:
The Compliance Certification activity will be performed for the Facility.

Item 32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
No person shall sell, offer for sale, purchase or use any distillate oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.2 percent by weight
Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 33.1:
The Compliance Certification activity will be performed for the Facility.

Item 33.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:
No person will 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: 0.3 percent by weight
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 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 34: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 34.1:
The Compliance Certification activity will be performed for the Facility.

Item 34.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 35: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 227-2

Item 35.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 35.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
NOX RACT COMPLIANCE IS ON A SYSTEM-WIDE BASIS FOR ALL KEYSPAN GENERATION AFFECTED FACILITIES. SEE THE ATTACHED NYS DEC APPROVED NOX RACT PLAN.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

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 3-3: Accidental release provisions.
Effective between the dates of 04/13/2005 and 05/07/2007

Applicable Federal Requirement: 40CFR 68

Replaces Condition(s) 1-3

Item 3-3.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

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

Condition 1-4: Compliance Certification
Effective between the dates of 03/02/2004 and 05/07/2007

Applicable Federal Requirement: 40CFR 72

Item 1-4.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-4.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
This facility is subject to the Title IV Acid Rain regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit(DEC ID#: 26308-00040-00013) is an attachment to this permit. As per Title IV permit, the facility is required to have sufficient SO2 allowance in its possession to cover the SO2 emissions from this facility. Facility must also submit reports as required in the Title IV permit.

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

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

Condition 39: Emission Point Definition By Emission Unit
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 201-6

Item 39.1(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00001

Emission Point: 00001
Height (ft.): 266 Diameter (in.): 123
NYTMN (km.): 4496.173 NYTME (km.): 604.633 Building: BOILER BLD

Item 39.2(From Mod 2):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-HB001

Emission Point: HB001
Height (ft.): 53 Diameter (in.): 34
NYTMN (km.): 4496.173 NYTME (km.): 604.633 Building: HOUSE BOIL

Condition 40: Process Definition By Emission Unit
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 201-6

Item 40.1(From Mod 3):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P05 Source Classification Code: 1-01-013-02
Process Description:
This process is the co-firing of waste fuel A in a tangentially fired steam-electric boiler. This fuel is only used in combination with a primary fuel at a rate not to exceed 5% of the total heat input.

Emission Source/Control: 00040 - Combustion
Design Capacity: 1,060 million Btu per hour

Item 40.2(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
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. In order to improve boiler operation, a fuel additive may be mixed into the residual oil prior to combustion.

Emission Source/Control: 00040 - Combustion
Design Capacity: 1,060 million Btu per hour

Item 40.3(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P02 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #1 distillate oil in a tangentially fired steam-electric boiler.

Emission Source/Control: 00040 - Combustion
Design Capacity: 1,060 million Btu per hour

Item 40.4(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P03 Source Classification Code: 1-01-005-01
Process Description:
This process is the combustion of #2 distillate oil in a tangentially fired steam-electric boiler.

Emission Source/Control: 00040 - Combustion
Design Capacity: 1,060 million Btu per hour

Item 40.5(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: P04 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: 00040 - Combustion
Design Capacity: 1,060 million Btu per hour

Item 40.6(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-HB001
Process: P25 Source Classification Code: 1-02-005-01
Process End Date: 9/1/2004
Process Description:
This process involves the combustion of #1 distillate oil in an industrial steam boiler.

Emission Source/Control: ES002 - Combustion Removal Date: 09/01/2004
Design Capacity: 15 million Btu per hour

Item 40.7(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-HB001
Process: P26 Source Classification Code: 1-02-005-01
Process End Date: 9/1/2004
Process Description:
This process involves the combustion of #2 distillate oil in an industrial steam boiler.

Emission Source/Control: ES002 - Combustion Removal Date: 09/01/2004
Design Capacity: 15 million Btu per hour

Item 40.8(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-HB001
Process: P96 Source Classification Code: 1-02-006-02
Process End Date: 9/1/2004
Process Description:
This process involves the combustion of pipeline natural gas in an industrial steam boiler.

Emission Source/Control: ES002 - Combustion Removal Date: 09/01/2004
Design Capacity: 15 million Btu per hour

Item 40.9(From Mod 2):

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

Emission Unit: U-HB002
Process: P97 Source Classification Code: 1-02-006-02
Process Description:
This process involves the combustion of pipeline natural gas in an industrial steam boiler.

Emission Source/Control: ES003 - Combustion
Design Capacity: 12.6 million British thermal units

Condition 41: Permits requirements.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 41.1:
This Condition applies to Emission Unit: U-00001

Item 41.2: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002.

Condition 42: Submissions to the Department.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 42.1:
This Condition applies to Emission Unit: U-00001

Item 42.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.1(e)(1)) by the NOx authorized account representative.

Condition 43: Content of reports and compliance certifications.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 43.1:
This Condition applies to Emission Unit: U-00001

Item 43.2: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

(i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
(iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report 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 44: Discretionary report contents.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 44.1:
This Condition applies to Emission Unit: U-00001

Item 44.2: 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 45: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 45.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 45.2:
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 46: Submission of NOx allowance transfers.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 46.1:
This Condition applies to Emission Unit: U-00001

Item 46.2: 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 47: General provisions.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 47.1:
This Condition applies to Emission Unit: U-00001

Item 47.2: 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.

Condition 48: Prohibitions.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 48.1:
This Condition applies to Emission Unit: U-00001

Item 48.2: No owner or operator of a NOx Budget unit or a non-NOx 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, NOx 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 NOx 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 NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 49: Requirements for installation, certification, and data accounting.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 49.1:
This Condition applies to Emission Unit: U-00001

Item 49.2: The owner or operator of each NOx Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NOx mass. This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
(2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NOx allowance allocations.
(3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.
(4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

Condition 50: Requirements for recertification of monitoring systems.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 50.1:
This Condition applies to Emission Unit: U-00001

Item 50.2: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record 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 51: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 51.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 51.2:
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 52: Out of control periods.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 52.1:
This Condition applies to Emission Unit: U-00001

Item 52.2: 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 53: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 53.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 53.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The Authorized Account Representative for a NOx Budget unit shall submit written notice to the Department and the

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

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

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

The address for the USEPA Administrator is as follows:

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

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

The address for the BCME is as follows:

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

ACR changes should be sent to the attention of:

NYSDEC
Stationary Source Planning Section
Bureau of Air Quality Planning
625 Broadway, 2nd Floor
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 54: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 204-8.7

Item 54.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a unit that elects to monitor and report NOx Mass emissions using a NOx concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 55: Compliance Plan
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 55.1:
Compliance will be achieved according to the following schedule for the emission units, processes, sources or emission points specified in this permit:

Emission Unit: U-00001

Consent Order: D19000978
Progress Report Begin Date: 05/08/1998

Item 55.2:
Remedial Measure:

Schedule Date: 05/08/1998
KeySpan shall be in compliance with the consent order, exectuted between the Department and Long Island Lighting Company(LILCO).

Condition 56: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 56.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 56.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
NOX RACT COMPLIANCE IS MAINTAINED IN ACCORDANCE WITH NYSDEC APPROVED SYSTEM-WIDE NOx RACT COMPLIANCE PLAN. ALTHOUGH A CEM SYSTEM IS UTILIZED TO DETERMINE THE NOx EMISSION RATE, COMPLIANCE WITH THIS RULE IS ASSURED THROUGH A "RECORD KEEPING" PROCEDURE THAT INSURES AN ACCEPTABLE SYSTEM-WIDE AVERAGE NOx EMISSION RACT PLAN.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 3-4: Compliance Certification
Effective between the dates of 04/13/2005 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 225-2.3(b)(1)

Item 3-4.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: P05

Item 3-4.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
An owner or operator of a stationary combustion unit, located outside of New York County, may burn Waste Fuel A, subject to the following conditions:

- the maximum operating heat input of the fuel must be 20 million BTU per hour or greater; and
- the combustion efficiency of the stationary combustion unit must be at least 99 percent while burning Waste Fuel A. Combustion efficiency shall be determined annually using measurements of carbon monoxide and carbon dioxide emissions.

Parameter Monitored: COMBUSTION EFFICIENCY
Lower Permit Limit: 99 percent
Reference Test Method: Air Guide 17 App. III
Monitoring Frequency: ANNUALLY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 3-5: Compliance Certification
Effective between the dates of 04/13/2005 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 225-2.4

Item 3-5.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: P05

Item 3-5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Keyspan Generation-Far Rockaway Station may burn on site generated waste fuel A but should perform fuel oil analysis representative of the waste oil to be burned. The waste oil to be burned must meet the following fuel constituents/properties;

Polychlorinated Biphenyls (PCB)	less than 50 (*)
Total Halogens maximum	1,000 ppm (*)
Sulfur weight	0.30 percent by
Lead maximum	250 ppm (*)
Heat Content minimum	125,000 Btu/gallon
No Chemical Waste	

(*) parts per million(ppm) by weight (water free basis) of fuel.

Keyspan Generation -Far Rockaway Station must shall maintain the fuel analysis records at the site for a minimum period of five years which should be available for inspection by the commissioner or his representative during normal business hours. Such person must furnish copies of such records to the commissioner or his representative upon request.

Sampling and analysis of waste fuel samples must be carried out in accordance with Air Guide 17 or by with methods acceptable to the commissioner.

Reference Test Method: Air Guide 17
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 3-6: Compliance Certification
Effective between the dates of 04/13/2005 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 225-2.6

Item 3-6.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: P05

Item 3-6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Use or Sale of Waste Fuels A.

(a) Fuel oil and waste oil, except such fuel containing 50 ppm or more by weight of polychlorinated biphenyls (PCB), may be blended to meet the limitations of Table 2-1 of section 225-2.4 of this subpart. Blending must be performed prior to delivery of the fuel to a facility burning waste fuel A.

(b) The Department also regulates the burning, collection, transport and storage of waste fuel as a solid waste under regulations* promulgated pursuant to article 27, titles 3,7 and 9 and article 23 of the Environmental Conservation Law (ECL).

(c) No person may sell, offer for sale, deliver or exchange in trade any waste fuel except to a facility meeting the applicable requirements of this Subpart and the regulations promulgated pursuant to article 27, titles 7 and 9 and article 23 of ECL or to a transporter of waste fuel who is permitted under 6NYCRR Part 364.

(d) No owner or operator of a facility proposing to burn waste fuel or transporter of waste fuel may purchase, accept delivery, pick up or accept in trade any waste fuel unless the facility receiving or proposing to burn waste fuel meets the applicable requirements of this Subpart and the regulations promulgated pursuant to article 27, titles 7 and 9 and article 23 of the ECL and the transporter of waste fuel is permitted under 6NYCRR Part 364.

*As of the date of promulgation of Subpart 225-2, these regulations include 6 NYCRR Parts 360, 361, 364, 365 and 366. Revision and renumbering of these regulations is expected.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 3-7: Compliance Certification
Effective between the dates of 04/13/2005 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 225-2.7

Item 3-7.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: P05 Emission Source: 00040

Item 3-7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

(a)The facility should
1. sample, analyze the waste oil burned;
2. measure quantities of waste oil burned;
3. monitor emissions and/or operations

(b) Any person delivering waste fuel A to a facility burning such waste fuel, must perform analyses or adopt procedures to assure compliance with Table 2-1 of section 225-2.4 of this Subpart prior to delivery. The attendant records of such assurance and the quantities and the identification (including names and addresses) of all buyers and users of such waste oil must be retained by the supplier for five calendar years.

(c) Any person delivering waste fuel A and/ or B to a facility burning such waste fuel, must maintain records of the identification and quantity of all waste fuel A and or B delivered to that facility and report such information to the owner of that facility.

All the above records should be maintained at the facility for a minimum of five years and make them available to representatives of the Department upon request. Such person must furnish copies of such records to the commissioner or his representative upon request.

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 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 65.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 65.2:
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 utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 66.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 66.2:
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 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).

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 67: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 67.1:
This Condition applies to Emission Unit: U-00001 Emission Point: 00001

Item 67.2:
The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

Condition 68: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 68.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P01 Emission Source: 00040

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 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: 0.10 pounds per million Btus
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 69: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 69.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P02 Emission Source: 00040

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 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: 0.10 pounds per million Btus
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 70: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 70.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P03 Emission Source: 00040

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

Item 70.2:
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: 0.10 pounds per million Btus
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 71: Multiple fuels particulate matter emission rate.
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 227-1.5

Item 71.1:
This Condition applies to Emission Unit: U-00001 Emission Point: 00001
Process: P05

Item 71.2:
When two or more different fuels are burned simultaneously in a single furnace of a stationary combustion installation, the permissible emission rate for a contaminant shall be the sum of the permissible emission rates of the contaminant for each fuel multiplied by the heat derived from such fuel.

Condition 72: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 72.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P05 Emission Source: 00040

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

Item 72.2:
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: 0.10 pounds per million Btus
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 73: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 73.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-HB001 Emission Point: HB001

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

Item 73.2:
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 (on a six minute block period) except for one six minute block 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.

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

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the

Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

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

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

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

Parameter Monitored: OPACITY
Upper Permit Limit: 27 percent
Reference Test Method: Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 74: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 74.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-HB001 Emission Point: HB001

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

Item 74.2:
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 (on a six minute block period) except for one six minute block 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.

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

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

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

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then the Method 9 analysis (based upon a 6-minute mean) of the

affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 75: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 75.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-HB001 Emission Point: HB001
Process: P25 Emission Source: ES002

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

1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,

2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and

3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 76: Compliance Certification
Effective between the dates of 05/08/2002 and 05/07/2007

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

Item 76.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-HB001 Emission Point: HB001
Process: P26 Emission Source: ES002

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

Item 76.2:
Compliance Certification shall include the following monitoring:

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

1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,

2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and

3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 2-1: Compliance Certification
Effective between the dates of 06/17/2004 and 05/07/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(d)

Item 2-1.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-HB002
Process: P97 Emission Source: ES003

Item 2-1.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
A boiler tune-up shall be performed annually. The owner or operator of a small boiler shall maintain a log (in the format acceptable to the Department) containing the

following information: (1) The date which the equipment was adjusted; and (2) The name, title, and affiliation of the person who adjusted the equipment.

Reference Test Method: AIR GUIDE 33
Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 2-2: Compliance Certification
Effective between the dates of 06/17/2004 and 05/07/2007

Applicable Federal Requirement: 40CFR 60.48c, NSPS Subpart Dc

Item 2-2.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-HB002
Process: P97 Emission Source: ES003

Item 2-2.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Reporting and recordkeeping requirements:

The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by §60.7 of this part. This notification shall include The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

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

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

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

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

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

Condition 1-5: **Contaminant List**
Effective between the dates of 03/02/2004 and 05/07/2007

Applicable State Requirement: ECL 19-0301

Item 1-5.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this

permit(emission limits, control requirements or compliance monitoring conditions).

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

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

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

Condition 77: Unavoidable noncompliance and violations
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 201-1.4

Item 77.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant

emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

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

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

Condition 80: Air pollution prohibited
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 211.2

Item 80.1:
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 81: Compliance Demonstration
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 81.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P01 Emission Source: 00040

Item 81.2:
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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Apendix B, 40 CFR 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 82: Compliance Demonstration
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 82.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P02 Emission Source: 00040

Item 82.2:
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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Apendix B, 40 CFR 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 83: Compliance Demonstration
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 83.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P03 Emission Source: 00040

Item 83.2:
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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Apendix B, 40 CFR 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 84: Compliance Demonstration
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 84.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P04 Emission Source: 00040

Item 84.2:
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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Apendix B, 40 CFR 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).

Condition 85: Compliance Demonstration
Effective between the dates of 05/08/2002 and 05/07/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 85.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: P05 Emission Source: 00040

Item 85.2:
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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Apendix B, 40 CFR 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 3 calendar month(s).