

**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
Effective Date: 09/11/2007 Expiration Date: 09/10/2012

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 2-6308-00040/00013
Effective Date: 09/11/2007 Expiration Date: 09/10/2012

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

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

Facility: KEYSpan GENERATION-FAR ROCKAWAY STATION
1425 BAY 24TH ST
FAR ROCKAWAY, NY 11691

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

Description:

This Power Station consists one 100 MW turbine/generator boiler, 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. In addition, an industrial steam boiler is maintained on site for heating the building.

The facility wide emissions for major air pollutants exceed the major pollutants thresholds and therefore the facility is subject to the provisions of Title V, specified under 6NYCRR Subpart 201-6. The Title V permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility, its emission units and emission points.

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

Permit Administrator: JOHN F CRYAN
 DIVISION OF ENVIRONMENTAL PERMITS
 ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for permit renewals, modifications and transfers

Permit modifications, suspensions or revocations by the Department

Facility Level

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



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:



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

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

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



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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

Facility: KEYSpan GENERATION-FAR ROCKAWAY STATION
1425 BAY 24TH ST
FAR ROCKAWAY, NY 11691

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

Permit Effective Date: 09/11/2007

Permit Expiration Date: 09/10/2012



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
 - 2 6NYCRR 201-6.5(a)(7): Fees
 - 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
 - 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
 - 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
 - 6 6NYCRR 201-6.5(e): Compliance Certification
 - 7 6NYCRR 202-2.1: Compliance Certification
 - 8 6NYCRR 202-2.5: Recordkeeping requirements
 - 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
 - 10 6NYCRR 200.7: Maintenance of Equipment
 - 11 6NYCRR 201-1.7: Recycling and Salvage
 - 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
 - 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
 - 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
 - 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
 - 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
 - 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
 - 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
 - 19 6NYCRR 202-1.1: Required Emissions Tests
 - 20 6NYCRR 211.3: Visible Emissions Limited
 - 21 40CFR 68: Accidental release provisions.
 - 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
 - 23 6NYCRR 201-6: Emission Unit Definition
 - 24 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
 - 25 6NYCRR 204-8.4: Compliance Certification
 - 26 6NYCRR 207: Submittal of Episode Action Plans
 - 27 6NYCRR 207: Compliance Certification
 - 28 6NYCRR 225-1.2(a)(2): Compliance Certification
 - 29 6NYCRR 225-1.2(a)(2): Compliance Certification
 - 30 6NYCRR 225-2.3(b)(1): Compliance Certification
 - 31 6NYCRR 225.7(a): Compliance Certification
 - 32 6NYCRR 227-2: Compliance Certification
 - 33 6NYCRR 227.2(b)(1): Compliance Certification
 - 34 40CFR 72: Compliance Certification
- Emission Unit Level**
- 35 6NYCRR 201-6: Emission Point Definition By Emission Unit
 - 36 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001



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- 37 6NYCRR 204-1.6: Permits requirements.
- 38 6NYCRR 204-2.1: Submissions to the Department.
- 39 6NYCRR 204-4.1: Contents of reports and compliance certification.
- 40 6NYCRR 204-4.1: Compliance Certification
- 41 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 42 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 43 6NYCRR 204-8.3: Out of control periods.
- 44 6NYCRR 204-8.7: Compliance Certification
- 45 6NYCRR 227-1.3: Compliance Certification

EU=U-00001,Proc=P05

- 46 6NYCRR 225-2.4: Compliance Certification
- 47 6NYCRR 225-2.6: Compliance Certification

EU=U-00001,Proc=P05,ES=00040

- 48 6NYCRR 225-2.7: Compliance Certification

EU=U-00001,EP=00001

- 49 6NYCRR 227-1.3(a): Compliance Certification
- 50 6NYCRR 227-1.4(b): Compliance Certification
- 51 6NYCRR 227-1.5: Multiple fuels particulate matter emission rate.
- 52 6NYCRR 227-2.6(b): Compliance Certification
- 53 6NYCRR 227.5(a): Compliance Certification

EU=U-HB002

- 54 6NYCRR 227-2.4(d): Compliance Certification

EU=U-HB002,Proc=P97,ES=ES003

- 55 40CFR 60.48c, NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 56 ECL 19-0301: Contaminant List
- 57 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 58 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

EU=U-00001,EP=00001

- 59 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: Emergency Defense - 6NYCRR Part 201-1.5

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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Act;

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

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

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

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

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

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

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

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

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



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

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 09/11/2007 and 09/10/2012**

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

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



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

Condition 2: Fees

Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 3.1:

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

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

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

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

Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 4.1:

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



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

Condition 5: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 6: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

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

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 45 days after the reporting period.
The initial report is due 8/14/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)



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Reports due by April 15th for previous calendar year

Condition 8: Recordkeeping requirements
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

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

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 215

Item 9.1:

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

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

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

Condition 10: Maintenance of Equipment
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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



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specifications, required to operate such device effectively.

Condition 11: Recycling and Salvage
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 12.1:

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

Condition 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 13.1:

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

Condition 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 14.1:

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



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during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 15: Standard Requirement - Provide Information
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 15.1:

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

Condition 16: General Condition - Right to Inspect
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 16.1:

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

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

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

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

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

Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 17.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the



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department. Such progress reports shall contain the following:

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

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

Condition 18: Off Permit Changes
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 18.1:

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

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

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

Condition 19: Required Emissions Tests
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 19.1:

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

Condition 20: Visible Emissions Limited
Effective between the dates of 09/11/2007 and 09/10/2012

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Applicable Federal Requirement: 6NYCRR 211.3

Item 20.1:

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

Condition 21: Accidental release provisions.

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 40CFR 68

Item 21.1:

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

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

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

Condition 22: Recycling and Emissions Reduction

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 22.1:

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

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

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Condition 23: Emission Unit Definition
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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): BOILER BLD

Item 23.2:

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.

Building(s): BOILER BLD

Condition 24: Requirements for recertification of monitoring systems.
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 24.1: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 25: Compliance Certification

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Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-8.4

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:

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

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one copy to the Bureau of Quality Assurance (BQA) 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
1200 Pennsylvania Avenue, NW
Mail Code 6204J
Washington D.C. 20460

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

The address for the BQA is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 26: Submittal of Episode Action Plans
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 207

Item 26.1:

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

Condition 27: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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:



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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

Condition 28: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 28.1:

The Compliance Certification activity will be performed for the Facility.

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any distillate fuel 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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: ANNUALLY (CALENDAR)



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Reports due 45 days after the reporting period.
The initial report is due 8/14/2008.
Subsequent reports are due every 12 calendar month(s).

Condition 29: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any residual fuel 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: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.3 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 8/14/2008.

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

Condition 30: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

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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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 8/14/2008.

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

Condition 31: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 225.7(a)

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: PER DELIVERY



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Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 45 days after the reporting period.
The initial report is due 8/14/2008.
Subsequent reports are due every 12 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 227-2

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Keyspan's system-wide averaging of NO_x emissions from its facilities shall be performed in accordance with the most current version of the NO_x RACT Compliance Plan and the NO_x RACT Operating Plan, dated January 5, 2006 and approved by the Department on 3/29/2006. The most current version of the NO_x RACT constitutes an enforceable part of the permit.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 33.2:

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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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 8/14/2008.

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

Condition 34: Compliance Certification

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 40CFR 72

Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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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 35: Emission Point Definition By Emission Unit
Effective between the dates of 09/11/2007 and 09/10/2012**

Applicable Federal Requirement: 6NYCRR 201-6

Item 35.1:

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

**Condition 36: Process Definition By Emission Unit
Effective between the dates of 09/11/2007 and 09/10/2012**

Applicable Federal Requirement: 6NYCRR 201-6

Item 36.1:

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.



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Emission Source/Control: 00040 - Combustion

Design Capacity: 1,060 million Btu per hour

Item 36.2:

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 36.3:

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 36.4:

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 36.5:

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



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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 36.6:

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

Emission Unit: U-00001

Process: P06

Source Classification Code: 1-01-013-01

Process Description:

This process is the incineration, by co-firing with a primary fuel at a rate not to exceed 5% of the equivalent fuel flow, of boiler chemical cleaning solution (citrosolv). Following the chemical cleaning of the water-side of the boiler tubes with an acidic solution, the spent material is evaporated in the boiler while operating at nominal full load. (Standard practice is to collect and transport this material to another company facility for incineration. Boiler chemical cleaning at this facility are performed once every 3 to 5 years).

Emission Source/Control: 00040 - Combustion

Design Capacity: 1,060 million Btu per hour

Item 36.7:

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 37: Permits requirements.

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 37.1:

This Condition applies to Emission Unit: U-00001

Item 37.2: The NO_x authorized account representative of each NO_x budget unit shall submit to the



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Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002.

Condition 38: Submissions to the Department.
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 38.1:

This Condition applies to Emission Unit: U-00001

Item 38.2: 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 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 39: Contents of reports and compliance certification.
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 39.1:

This Condition applies to Emission Unit: U-00001

Item 39.2: 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;



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- (iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
- (v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

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 40: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 40.2:

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 41: Submission of NOx allowance transfers.
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-7.1



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Item 41.1:

This Condition applies to Emission Unit: U-00001

Item 41.2: The NO_x authorized account representatives seeking recordation of a NO_x allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NO_x allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 42: Requirements for installation, certification, and data accounting.

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 42.1:

This Condition applies to Emission Unit: U-00001

Item 42.2: The owner or operator of each NO_x Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO_x Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

- (1) Install all monitoring systems required under this Subpart for monitoring NO_x mass. This includes all systems required to monitor NO_x emission rate, NO_x concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NO_x 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 43: Out of control periods.

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 43.1:

This Condition applies to Emission Unit: U-00001

Item 43.2: 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.



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Condition 44: Compliance Certification

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 204-8.7

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 44.2:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 45: Compliance Certification

Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. Opacity Incident Reporting

Respondents shall prepare opacity incident reports consistent with the requirements of this paragraph. The

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term "opacity incident" as used, means smoke emissions which exhibit greater than 20% opacity (6-minute average).

Opacity incident reports shall be maintained by the Respondents for a period of three years and shall be made available for inspection by the Department on demand.

Incident Reports shall include a brief summary of the incident and, as necessary, a sequence of events, a preliminary cause analysis, and associated corrective action requirements.

2. Opacity Reporting Compliance Audits

Respondents shall conduct monthly opacity reporting compliance audits consistent with the requirements of this paragraph.

Audits include a detailed review of all opacity data for the prior month confirmation that all indicated events were properly reported and documented, survey sheets completed and all documentation retained. Comprehensive audit reports shall continue to be prepared to identify all relevant observations. Items tabulated include missing survey sheets, events greater than 20% opacity, events greater than 40% opacity, total incidents, incidents reported.

3. Awareness, Communications & Training

Respondents shall comply with the opacity awareness, communications and training provisions of this paragraph.

Opacity audit results and initiatives shall be formal agenda items at regular meetings conducted by the plant personnel. Opacity reduction program activities shall also be discussed at the same meetings.

Opacity understanding and awareness shall be communicated on an on-going basis from station management to supervisory and operating and maintenance personnel. Respondents shall provide training in opacity regulatory requirements, fundamentals of combustion, and the balance between NOx control, and opacity and continuous emissions



monitoring interface.

4. Preventative Maintenance

Respondents shall conduct, on an ongoing basis, a preventive maintenance program as described in this paragraph.

The program shall encompass fuel, air, burner, and instrument and control system components and includes items such as fan, dampers, burners, ignitors, regulators, and related components.

The Department shall be notified of all significant additions and deletions to the preventive maintenance programs.

5. Root Cause Analysis and Corrective Action

Respondents shall conduct root cause analyses as described in this paragraph and shall take all corrective actions that are deemed necessary to maintain the facilities in full compliance with the State's opacity requirements.

A comprehensive Root Cause Analysis program including deficiency categorization and correction of categorized deficiencies was implemented in April 1995 by Con Edison. Incident categories include oil, air, atomizing steam, ignition, burner and combustion control system deficiencies. Analysis, categorization and corrective action development shall be performed monthly by Respondents' station personnel. Corrections due to equipment failure, malfunction and marginal design shall be accomplished by corrective maintenance and simple design basis enhancement activities. Correction of operational deviations include focused training, minimized sootblowing and increased boiler fireside washes. Significant design basis deficiencies shall be corrected by the development and implementation of design basis enhancement projects, including, but not limited to, fuel switching and ignition and control system retrofits.

6. Quarterly Reports



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Submit to the Department quarterly reports 60 days following the end of the calendar quarter (May 30, August 30, November 30 and February 28) which describe the activities and progress that the Respondents have made during the preceding quarter in carrying out the requirements of paragraphs 1 through 5.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 11/29/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 225-2.4

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: P05

Item 46.2:

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 1,000 ppm (*)
- maximum
- Sulfur 0.30 percent by
- weight
- Lead 250 ppm (*)
- maximum
- Heat Content 125,000 Btu/gallon
- minimum
- No Chemical Waste

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(*) 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 1/30/2008.

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

Condition 47: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 225-2.6

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P05

Item 47.2:

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

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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 1/30/2008.

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

Condition 48: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 225-2.7

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P05

Emission Source: 00040

Item 48.2:



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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 1/30/2008.

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

Condition 49: Compliance Certification

Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001



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Item 49.2:

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 10/30/2007.

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

Condition 50: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 50.2:

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;

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- 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 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

**Condition 51: Multiple fuels particulate matter emission rate.
Effective between the dates of 09/11/2007 and 09/10/2012**

Applicable Federal Requirement: 6NYCRR 227-1.5

Item 51.1:

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

Item 51.2:

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 52: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012**

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

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

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

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Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

CEMS Requirements.

The owner or operator must install, calibrate, maintain, and operate a CEMS for measuring NO_x at locations approved in the CEMS certification protocol and must record the output of each such system.

The following procedures and test methods must be used for determining compliance with the appropriate NO_x emission limit.

(a) calculate all 24-hour daily heat input-weighted average NO_x emission rates from block hourly arithmetic emission rate averages calculated by the CEMS and expressed in terms of pounds of NO_x per million Btu;

(b) demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart by using a CEMS for measuring NO_x and calculating a 24-hour daily heat input-weighted average NO_x emission rate using 40 CFR part 60, Appendix A, Method 19 for nonturbine sources. A 30-day rolling heat input-weighted average emission rate may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1st to April 30th for nonturbine sources; and

(c) determine the 24-hour daily heat input-weighted average NO_x emission rate based on the heat input-weighted average of the block hourly arithmetic average emission rates during each 24-hour daily period from 12:00 midnight to 12:00 midnight the following day using CEMS data. The block hourly heat input-weighted average emission rate must be calculated for each one-hour period starting with the period 12:00 midnight to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 midnight; or, starting with the period 12:00 noon to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 noon. The 30-day rolling heat input-weighted average must be the average of the 24-hour daily heat input-weighted NO_x emission rate.

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CEMS recordkeeping and reporting requirements.

(i) The owner or operator must notify the department of the planned initial start-up date.

(ii) Protocols, reports, summaries, compliance plans and schedules, and any other information required to be submitted to the department must be sent as follows:

(a) one copy to the Division of Air Resources, New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12233; and

(b) one copy to the regional air pollution control engineer at the appropriate regional office of the department.

(iii) Emissions, monitoring, and operating parameter records or measurements required by this Subpart, quarterly and annual summaries, and any additional parameters required by the department must be maintained for at least three years and made available upon department request within 10 working days.

(iv) Following each calendar quarter, the owner or operator must tabulate and summarize applicable emission, monitoring, and operating parameter measurements recorded during the preceding three months (including but not limited to type and amount of fuel burned on a daily basis, heat content of the fuel, total heating value of the fuel consumed on a daily basis, the actual NO_x emission rate, the allowable NO_x emission rate, and the summation of the sources included in the averaging scheme). These records must be submitted within 30 days following the end of each calendar quarter in a format acceptable to the department, and include:

(a) the average NO_x emission rates. (For sources covered under paragraphs [block hourly average emission rates are to be recorded and tabulated, but do not need to be included in the quarterly summaries];

(b) identification of the operating hours when NO_x emissions data are not included in the calculation of the average emission rate and the reasons for not including that data; and



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(c) the results of accuracy assessments as required by 40 CFR part 60, Appendix F and any additional data quality information required by the department.

(v) The owner or operator must submit the initial compliance test data, the performance evaluation of the CEMS found in 40 CFR part 60, Appendix B, and the maximum heat input capacity.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 53: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable Federal Requirement: 6NYCRR 227.5(a)

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 53.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Smoke emissions shall be continuously monitored and recorded for any stationary combustion installation of more than 250 million Btu per hour total heat input. Data shall be recorded and maintained as per a QA/QC plan approved by the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 8/14/2008.

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

Condition 54: Compliance Certification
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-HB002

Item 54.2:

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 45 days after the reporting period.

The initial report is due 8/14/2008.

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

Condition 55: Compliance Certification

Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-HB002

Process: P97

Emission Source: ES003

Item 55.2:

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,

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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 56: Contaminant List
Effective between the dates of 09/11/2007 and 09/10/2012**

Applicable State Requirement: ECL 19-0301

Item 56.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this



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

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 57: Unavoidable noncompliance and violations
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable State Requirement: 6NYCRR 201-1.4

Item 57.1:

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

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

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

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



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

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

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

Condition 58: Air pollution prohibited
Effective between the dates of 09/11/2007 and 09/10/2012

Applicable State Requirement: 6NYCRR 211.2

Item 58.1:

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 59: Compliance Demonstration
Effective between the dates of 09/11/2007 and 09/10/2012

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

Item 59.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 59.2:

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

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(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: Appendix 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 10/30/2007.

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