

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2630800096**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 2-6308-00096/00011  
Effective Date: 09/14/2001                      Expiration Date: No expiration date

Permit Issued To: KIAC PARTNERS  
JFK AIRPORT - BLDG 49  
JAMAICA, NY 11430

CPN THIRD TURBINE INC  
JFK AIRPORT  
BUILDING 49  
JAMAICA, NY 11430

Contact: DONALD NEAL  
TWO ATLANTIC AVENUE  
CALPINE  
BOSTON, MA 02110  
(617) 557-5333

Facility: KIAC COGENERATION PLANT-JFK AIRPORT  
BUILDING 49 JFK AIRPORT  
JAMAICA, NY 11430

Contact: MIKE URIO  
KIAC COGENERATION PLANT  
JFK INTERNATIONAL AIRPORT BLDG 49  
JAMAICA, NY 11430

Description:  
NATURE OF BUSINESS AT THE FACILITY:

Electric power generation.

4931 (primary SIC) - Electrical and Other Services Combined

TYPE OF EQUIPMENT AND OPERATION AT THE FACILITY:

This modification consists of the addition of one GE LM6000 gas turbine to an existing cogeneration facility. The gas turbine shall fire only natural gas and operate as a simple cycle unit, employing a spray intercooling system to optimize power output. The gas turbine shall be equipped with a selective catalytic reduction unit (SCR) for control of oxides of nitrogen emissions. Also, the gas turbine will have a catalytic oxidation unit (CO catalyst) installed to reduce the emissions of carbon monoxide. This unit

FINAL



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shall not produce more than 49.9 megawatts of power. The new unit shall be owned by CPN 3rd Turbine, which is an affiliate of Calpine Corporation. KIAC Partners is also an affiliate of Calpine Corporation.

**AIR PERMIT APPLICABILITY:**

Air state facility permit (permit to construct) for a major modification at a Title V facility which has not yet received their Title V permit.

**CAPPING/NON-APPLICABLE RULES:**

The facility shall accept permit limitations which shall keep the new emission unit below the applicability threshold for 6 NYCRR 231-2 and 40 CFR 52.21.

**CONSENT ORDERS OR COMPLIANCE PLANS:**

None.

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:            WILLIAM R ADRIANCE  
   DIVISION OF ENVIRONMENTAL PERMITS  
   625 BROADWAY  
   ALBANY, NY 12233-1750

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal-REGION 2

HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Item 2.1:**

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

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

**Item 3.1:**

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

**Item 3.2:**

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

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

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**Item 4.1:**

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

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

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

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

**Item 5.1:**

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

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

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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT**

**IDENTIFICATION INFORMATION**

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JAMAICA, NY 11430

CPN THIRD TURBINE INC  
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BUILDING 49  
JAMAICA, NY 11430

Facility: KIAC COGENERATION PLANT-JFK AIRPORT  
BUILDING 49 JFK AIRPORT  
JAMAICA, NY 11430

Authorized Activity By Standard Industrial Classification Code:  
4931 - ELEC & OTHER SERVICES



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- Maintenance of equipment
- 15 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
  - 7 6NYCRR 201-1.7: Recycling and Salvage
  - 8 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
  - 10 6NYCRR 201-3.2(a): Proof of Eligibility
  - 11 6NYCRR 201-3.3(a): Proof of Eligibility
  - 13 6NYCRR 202-1.1: Required emissions tests
  - 14 6NYCRR 211.3: Visible emissions limited.
  - 1 6NYCRR 200.5: Sealing
  - 2 6NYCRR 200.6: Acceptable ambient air quality
  - 4 6NYCRR 201-1.2: Unpermitted Emission Sources
  - 5 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
  - 6 6NYCRR 201-1.5: Emergency Defense
  - 9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
  - 12 6NYCRR 201-6.5(g): Non Applicable requirements
  - 16 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
  - 17 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

**Emission Unit Level**

**EU=3-GT000**

- 18 6NYCRR 227-2.6(b)(5): Alternate CEMs requirements.
- 19 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
- 20 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 21 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 22 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 23 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 24 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 25 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 26 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 27 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 28 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 29 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 30 40CFR 60.12, NSPS Subpart A: Circumvention.
- 31 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 32 40CFR 60.14, NSPS Subpart A: Modifications.
- 33 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 34 40CFR 60.334(a), NSPS Subpart GG: Compliance Demonstration
- 35 40CFR 60.334(b), NSPS Subpart GG: Custom fuel monitoring for nitrogen and sulfur content.

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**EU=3-GT000,EP=00003**

36 6NYCRR 227-1.3(a): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

37 6NYCRR 201-5: General Provisions

38 6NYCRR 201-5: Permit Exclusion Provisions

39 6NYCRR 201-5: Emission Unit Definition

40 6NYCRR 201-5.3(b): Contaminant List

41 6NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

42 6NYCRR 201-5: Emission Point Definition By Emission Unit

43 6NYCRR 201-5: Process Definition By Emission Unit

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44 6NYCRR 201-5: Compliance Demonstration

45 6NYCRR 201-5: Compliance Demonstration

46 6NYCRR 201-5: Compliance Demonstration

COMBINED

Permit Effective Date: 09/14/2001

Permit Expiration Date: No expiration date.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**Condition 15: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 215**

**Item 15.1:**

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

**Condition 3: Maintenance of equipment**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 3.1:**

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

**Condition 7: Recycling and Salvage**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

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

**Item 7.1:**

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 6 NYCRR.

**Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

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

**Item 8.1:**

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 10: Proof of Eligibility**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**



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

**Item 10.1:**

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 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Condition 11: Proof of Eligibility**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

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

**Item 11.1:**

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

**Condition 13: Required emissions tests**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

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

**Item 13.1:**

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

**Condition 14: Visible emissions limited.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 211.3**

**Item 14.1:**

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-

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minute period per hour of not more than 57 percent opacity.

**Condition 1: Sealing**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 200.5**

**Item 1.1:**

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

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

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

**Condition 2: Acceptable ambient air quality**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 2.1:**

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

**Condition 4: Unpermitted Emission Sources**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.2**

**Item 4.1:**

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

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

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

**Condition 5: Unavoidable Noncompliance and Violations**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.4**

**Item 5.1:**

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 or certificate issued for the corresponding air contamination source. 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.

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

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



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**Condition 6: Emergency Defense**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.5**

**Item 6.1:**

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.

**Condition 9: Public Access to Recordkeeping**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.10(a)**

**Item 9.1:**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

**Condition 12: Non Applicable requirements**

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**Effective between the dates of 09/14/2001 and Permit Expiration Date**

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

**Item 12.1:**

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

6NYCRR 231-1.4

Reason: The emissions of NO<sub>x</sub>, CO, and VOCs from the new emission unit, shall be below (natural minor) the applicability level for nonattainment new source review. Monitoring conditions shall be included in the permit to assure compliance.

40CFR 52-A.21(j)

Reason: The project in and of itself is minor in size. All increases in PSD regulated pollutants are less than the de minimus level. Therefore, this project is not subject to the provisions of 40 CFR 52.21 PSD.

**Condition 16: EPA Region 2 address.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A**

**Item 16.1:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

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**Condition 17: Facility Subject to Title IV Acid Rain Regulations and Permitting**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 72**

**Item 17.1:** This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

**Condition 18: Alternate CEMs requirements.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 227-2.6(b)(5)**

**Item 18.1:**  
This Condition applies to Emission Unit: 3-GT000

**Item 18.2:**  
The owner/operator shall measure NOx emissions with a continuous emissions monitoring system which follows the procedures in 40 CFR Part 75.

**Condition 19: Date of construction notification.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(a), NSPS Subpart A**

**Item 19.1:**  
This Condition applies to Emission Unit: 3-GT000

**Item 19.2:**  
Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 2) a notification of the anticipated date of initial start up, post marked not more than 60 days not less than 30 days prior to such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted



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under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, post marked not less than 30 days prior to the performance test.

**Condition 20: Recordkeeping requirements.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A**

**Item 20.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 20.2:**

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

**Condition 21: Excess emissions report.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(c), NSPS Subpart A**

**Item 21.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 21.2:**

Affected owners or operators shall submit an excess emissions report quarterly (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;



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- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

**Facility files for subject sources.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A**

**Item 22.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 22.2:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 23: Performance testing timeline.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A**

**Item 23.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 23.2:**

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

**Condition 24: Performance test methods.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A**

**Item 24.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 24.2:**



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Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

**Condition 25: Required performance test information.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.8(c), NSPS Subpart A**

**Item 25.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 25.2:**

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operate of the facility.

**Condition 26: Prior notice.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A**

**Item 26.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 26.2:**

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

**Condition 27: Performance testing facilities.**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.8(e), NSPS Subpart A**

**Item 27.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 27.2:**

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 28: Number of required tests.**



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**Applicable Federal Requirement: 40CFR 60.8(f), NSPS Subpart A**

**Item 28.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 28.2:**

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 29: Opacity standard compliance testing.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A**

**Item 29.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 29.2:**

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A or this Part 40 CFR 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

**Condition 30: Circumvention.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A**

**Item 30.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 30.2:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.



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**Condition 31: Monitoring requirements.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A**

**Item 31.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 31.2:**

All monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

**Condition 32: Modifications.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A**

**Item 32.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 32.2:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 33: Reconstruction.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A**

**Item 33.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 33.2:**

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) a description of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;



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6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;

7) the estimated life of the facility after the replacements; and

8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

**Condition 34: Compliance Demonstration**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.334(a), NSPS Subpart GG**

**Item 34.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GT000

**Item 34.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any stationary gas turbine subject to the provisions of 40CFR60 Subpart GG that is using water injection to control NOx emissions shall install and operate a continuous monitoring system to monitor and record fuel consumption and the ratio of water to fuel fired in the turbine. This system shall be accurate to within +/- 5.0 percent and shall be approved by the Administrator.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Final report is due 1/30/2002.

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

**Condition 35: Custom fuel monitoring for nitrogen and sulfur content.**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.334(b), NSPS Subpart GG**

**Item 35.1:**

This Condition applies to Emission Unit: 3-GT000

**Item 35.2:**



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The owner or operator of any stationary gas turbine subject to the provisions of this subpart shall monitor sulfur content and nitrogen content of the fuel being fired in the turbine. Owners, operators, or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Administrator before they can be used to comply with the requirements of this Section.

**Condition 36: Compliance Demonstration**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

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

**Item 36.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GT000 Emission Point: 00003

**Item 36.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

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**STATE ONLY ENFORCEABLE CONDITIONS**

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

**Condition 37: General Provisions**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 37.1:**

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

**Item 37.2:**

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.

**Item 37.3:**

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

**Condition 38: Permit Exclusion Provisions**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 38.1:**

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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 by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements



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contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

**Condition 39: Emission Unit Definition**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 39.1:**

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

Emission Unit: 3-GT000

Emission Unit Description:

ONE GE LM6000 COMBUSTION TURBINE WILL BE  
CONSTRUCTED AND WILL FIRE ONLY NATURAL GAS  
(EMISSION POINT EP00003). ALL EMISSION

RELATED IN THE COGENERATION

BUILDING AREA.

Building(s): COGENB

**Condition 40: Contaminant List**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5.3(b)**

**Item 40.1:**

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

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 0NY210-00-0

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Name: OXIDES OF NITROGEN

**Condition 41: Air pollution prohibited**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 41.1:**

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 42: Emission Point Definition By Emission Unit**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 42.1:**

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

Emission Unit: 3-GT000

Emission Point: 00003

Height (ft.): 107

Diameter (in.): 144

NYTMN (km.): 4500.252 NYTME (km.): 602.702 Building: COGENB

**Process Definition By Emission Unit**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 43.1:**

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

Emission Unit: 3-GT000

Process: GAS

Source Classification Code: 2-01-002-01

Process Description:

One GE LM6000 firing natural gas only while operating only in the simple cycle.



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Emission Source/Control: NEWGT - Combustion  
Design Capacity: 420 million Btu per hour

Emission Source/Control: 01SCR - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: COCAT - Control  
Control Type: CATALYTIC OXIDATION

**Condition 44: Compliance Demonstration**  
**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 44.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GT000

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

**Item 44.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:

This facility shall install, calibrate, maintain, and operate a continuous 40 CFR 75 emissions monitor for the measuring and recording of oxides of nitrogen. The facility shall also install either a continuous monitor for oxygen or carbon dioxide. All records shall be maintained, at the facility, for a period of no less than five years.

Manufacturer Name/Model Number: Oxides of Nitrogen Monitor

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 2.5 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: Method 20

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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



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**Condition 45: Compliance Demonstration**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 45.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GT000

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 45.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide. All records shall be maintained, at the facility, for a period of no less than five years.

Manufacturer Name/Model Number: CO Monitor

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.013 pounds per million Btus

Reference Test Method: Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

**Condition 46: Compliance Demonstration**

**Effective between the dates of 09/14/2001 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 46.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GT000

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

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**Item 46.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip, in accordance with the manufacturer's specifications. The permittee shall conduct a study to determine the feasibility of lowering the ammonia slip from this facility.

This study shall be submitted, to the Department, with the first annual compliance report due after the Title V permit for the facility is issued. All records shall be maintained, at the facility, for a period of no less than five years.

Manufacturer Name/Model Number: Ammonia Monitor

Parameter Monitored: AMMONIA

Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: As Required

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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