

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2640300196**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 2-6403-00196/00001  
Effective Date: 03/26/2004  
Expiration Date: No expiration date

Permit Type: Title IV (Phase II Acid Rain)  
Permit ID: 2-6403-00196/00002  
Effective Date: 03/26/2004  
Expiration Date: 03/26/2009

Permit Type: Tidal Wetlands  
Permit ID: 2-6403-00196/00003  
Effective Date: 03/26/2004  
Expiration Date: 03/26/2007

Permit Type: Freshwater Wetlands  
Permit ID: 2-6403-00196/00010  
Effective Date: 03/26/2004  
Expiration Date: 03/26/2007

Permit Type: Water Quality Certification  
Permit ID: 2-6403-00196/00011  
Effective Date: 03/26/2004  
Expiration Date: 03/26/2007

Permit Issued To: FORTISTAR LLC  
5087 JUNCTION ROAD  
LOCKPORT, NY 14094

Contact: LEWIS L STALEY  
LOCKPORT ENERGY ASSOC LP  
5087 JUNCTION RD  
LOCKPORT, NY 14094

Facility: BLOOMFIELD GENERATING FACILITY - SOUTH AVE  
1900 SOUTH AVENUE  
STATEN ISLAND, NY 10314

Contact: LEWIS L STALEY  
LOCKPORT ENERGY ASSOC LP  
5087 JUNCTION RD  
LOCKPORT, NY 14094

Description:  
This facility (**Bloomfield Generating Facility - South Avenue**) consists of two General Electric (GE) LM 6000 Gas Turbine Packages operating in simple cycle mode, electric transmission lines and a gas pipeline, and associated balance-of-plant systems and facilities. Other on-site equipment will include gas



**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2640300196**

and air compressors, an ammonia storage tank located within an enclosure, a lube oil cooling system, water treatment and storage system, raw water storage, and auxiliary electrical systems.

The gas turbines use an oxidation catalyst to reduce emissions of carbon monoxide (CO) and volatile organic compounds (VOCs), and use a water injection system and a selective catalytic reduction system (SCR) for control of emissions of Nitrogen Oxides (NOx). The total NOx emissions from this facility will be no greater than 22.5 tons per year, and the total CO emissions from this facility will be less than 100 tons per year. The facility will accept permit limitations which shall keep the new emission unit below the applicability thresholds for 6 NYCRR Part 201-6, 6 NYCRR Subpart 227-2, and 6 NYCRR Subpart 231-2.

This facility is being authorized in conjunction with another 79.9 MW (NET) electric generating facility (Bloomfield Generating Facility - Chelsea Road - DEC # 2-6403-00197/00001) located approximately 0.5 miles away. Both facilities will share common portions of the gas supply line and electric transmission lines as described below. **Regulated tidal wetlands and freshwater wetlands are located at several locations along both the gas line and electric transmission line routes.**

The **gas supply line** will be installed underground via a combination of open trenching, and slick boring, along a route that will extend along the existing Staten Island Rail Road (SIRR), under the Saw Mill Creek Bridge, and along existing roadways. The portion of the route that traverses Saw Mill Creek will be installed using a "slick bore" technique. The South Avenue pipeline route will proceed south of the facility for approximately 400' and then turn east for approximately 200', and then proceed north to connect to the proposed Chelsea Road gas line that will continue on to connect to the Williams Interstate Pipeline (WIP).

The **electric transmission line** will connect to the line from the Chelsea Road facility and then proceed south along the SIRR, proceed southwest under Meredith Avenue and Neck Creek, and then along the SIRR to the Fresh Kills Substation. The portion of the route that traverses Saw Mill Creek will be installed using a "slick bore" technique.

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

**SPECIAL CONDITIONS**

Resolve Site Closure



**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**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



transfer of ownership.

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

**Item 4.1:**

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

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

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

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

**Item 5.1:**

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

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



**DEC SPECIAL CONDITIONS**

**Condition 6:     Resolve Site Closure**  
**Applicable State Requirement:   ECL 3-0301.2(m)**

**Item 6.1:**

No regulated activity, including any construction activities or other physical alteration of the site as authorized by this permit, can commence prior to the permittee's receipt of a closure approval letter from the Department stating that the site has been properly closed pursuant to Part 360 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) to the Department's satisfaction.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: FORTISTAR LLC  
5087 JUNCTION ROAD  
LOCKPORT, NY 14094

Facility: BLOOMFIELD GENERATING FACILITY - SOUTH AVE  
1900 SOUTH AVENUE  
STATEN ISLAND, NY 10314

Authorized Activity By Standard Industrial Classification Code:

1 - ELECTRIC SERVICES

Permit Effective Date: 03/26/2004

Permit Expiration Date: No expiration date.



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 2 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 3 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 4 6NYCRR 201-6.5(c)(3)(ii): Compliance Demonstration
- 5 6NYCRR 201-6.5(e): Compliance Demonstration
- 40 40CFR 68: Accidental release provisions.
- 42 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 1 6NYCRR 200.3: False statement
- 6 6NYCRR 201-6.5(g): Non Applicable requirements
- 7 6NYCRR 202-1.2: Notification
- 8 6NYCRR 204-1.6: Permit requirements (facilities commencing operation on or after 01/00)
- 9 6NYCRR 204-1.6: Permit requirements.
- 10 6NYCRR 204-2.1: Submissions to the Department.
- 11 6NYCRR 204-4.1: Contents of reports and compliance certifications.
- 12 6NYCRR 204-4.1: Discretionary report contents.
- 13 6NYCRR 204-4.1: Compliance Demonstration
- 14 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 15 6NYCRR 204-8.1: General provisions.
- 16 6NYCRR 204-8.1: Prohibitions.
- 17 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 18 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 19 6NYCRR 204-8.2: Compliance Demonstration
- 20 6NYCRR 204-8.3: Out of control periods.
- 21 6NYCRR 204-8.4: Compliance Demonstration
- 22 6NYCRR 204-8.7: Compliance Demonstration
- 23 6NYCRR 227-1.3(a): Compliance Demonstration
- 24 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 25 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
- 26 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 27 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 28 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 29 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 30 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 31 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 32 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 33 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 34 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 35 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 36 40CFR 60.12, NSPS Subpart A: Circumvention.



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

- 37 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 38 40CFR 60.14, NSPS Subpart A: Modifications.
- 39 40CFR 60.15, NSPS Subpart A: Reconstruction
- 41 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

**Emission Unit Level**

**EU=U-00001**

- 43 6NYCRR 202-1.1: Required emission tests
- 44 40CFR 60.334(a), NSPS Subpart GG: Compliance Demonstration
- 45 40CFR 60.334(b), NSPS Subpart GG: Custom fuel monitoring for nitrogen and sulfur content.

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 46 ECL 19-0301: Contaminant List
- 47 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 48 6NYCRR 201-5: Facility Permissible Emissions
- 49 6NYCRR 201-5: Emission Unit Definition
- \*50 6NYCRR 201-5: Compliance Demonstration
- \*51 6NYCRR 201-5: Compliance Demonstration
- 52 6NYCRR 201-5: Compliance Demonstration
- \*53 6NYCRR 201-5: Compliance Demonstration
- 54 6NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

- 55 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 56 6NYCRR 201-5: Emission Unit Permissible Emissions
- 57 6NYCRR 201-5: Process Definition By Emission Unit

**EU=U-00001**

- \*58 6NYCRR 201-5: Compliance Demonstration
- 59 6NYCRR 201-5: Compliance Demonstration
- 60 6NYCRR 201-5: Compliance Demonstration
- \*61 6NYCRR 201-5: Compliance Demonstration
- 62 6NYCRR 201-5: Compliance Demonstration
- \*63 6NYCRR 201-5: Compliance Demonstration
- 64 6NYCRR 201-5: Compliance Demonstration
- 65 6NYCRR 201-5: Compliance Demonstration
- 66 6NYCRR 201-5: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

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

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

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

Any person who owns or operates an air contamination

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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

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

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

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

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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

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

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

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

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

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

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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

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

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

**Item K: Visible Emissions Limited - 6 NYCRR Part 211.3**

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

**Item L: Open Fires - 6 NYCRR Part 215**

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

**Item M: 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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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 N: 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.

**FEDERAL APPLICABLE REQUIREMENTS**

**The following conditions are federally enforceable.**

**Condition 2: Recordkeeping and reporting of compliance monitoring  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 2.1:**

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

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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

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

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 3.1:**

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

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 4.2:**

Compliance Demonstration 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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

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

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

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

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**



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

**Item 5.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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:

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 30 days after every calendar year.

**Condition 40: Accidental release provisions.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 68**

**Item 40.1:**

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:



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

- 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:

USEPA Region 2

Compliance Branch

290 Broadway  
New York, NY 10007-1866  
ATTN: Accidental Release Program contact

**Condition 42: Recycling and Emissions Reduction**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**Applicable F40CFR 82, Subpart F**

**Item 42.1:**

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

**Condition 1: False statement**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 200.3**

**Item 1.1:**

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

**Condition 6: Non Applicable requirements**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 6.1:**

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 227-2

Reason: This facility is a synthetic minor facility and it below the applicability threshold requirements for 227-2.

**Condition 7: Notification**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



**Applicable Federal Requirement: 6NYCRR 202-1.2**

**Item 7.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 8: Permit requirements (facilities commencing operation on or after 01/00)  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 8.1:** The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

**Permit requirements.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 9.1:** The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

**Condition 10: Submissions to the Department.  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 10.1:** 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 11: Contents of reports and compliance certifications.  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 11.1:** 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:

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



(1) Identification of each NOx Budget unit; and

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

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

**Condition 12: Discretionary report contents.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 12.1:** At the NOx authorized account representative's option the following may be included in the compliance certification report:

- (1) The serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under Section 204-6.5 for the control period; and
- (2) For units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with Subpart 204-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under Subdivision 204-6.5(e).

**Condition 13: Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

**Item 13.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx Budget units at a source are subject to the NOx Budget emissions limitation, the NOx authorized account representative of the source shall submit to the Department and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 14: Submission of NOx allowance transfers.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 14.1:** The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

**General provisions.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 15.1:** The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

**Condition 16: Prohibitions.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**



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

**Item 16.1:** No owner or operator of a NO<sub>x</sub> Budget unit or a non-NO<sub>x</sub> Budget unit monitored under 40 .72(b)(2)(ii) shall:

- (1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
- (2) operate the unit so as to discharge, or allow to be discharged, NO<sub>x</sub> emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;
- (3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NO<sub>x</sub> mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and
- (4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:

- (i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or
- (ii) The NO<sub>x</sub> authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

**Condition 17: Requirements for installation, certification, and data accounting.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 17.1:** The owner or operator of each NO<sub>x</sub> Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO<sub>x</sub> Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

- (1) Install all monitoring systems required under this Subpart for monitoring NO<sub>x</sub> mass. This includes all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NO<sub>x</sub> allowance allocations.
- (3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (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.

**New York State Department of Environmental Conservation**

Permit ID: 2-6403-00196/00001

Facility DEC ID: 2640300196



**Condition 18: Requirements for recertification of monitoring systems.  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

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

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 19.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Out of control periods.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



**Item 20.1:** Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 21.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

this subpart as follows:

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

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division  
401 M Street SW (6204J)

Washington D.C. 20460

CEM Coordinator



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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

The address for the BCME is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 22: Compliance Demonstration**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 22.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

Monitoring Frequency: HOURLY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Condition 23: Compliance Demonstration**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

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

**Item 23.2:**  
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  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2005.  
Subsequent reports are due every 12 calendar month(s).

**EPA Region 2 address.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 24.1:**  
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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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 Quality Assurance  
625 Broadway

Albany, NY 12233-3258

**Condition 25: Date of construction notification.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 25.1:**

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, postmarked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, postmarked 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 under 40 CFR 60. The notice shall be postmarked 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, postmarked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, postmarked 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, postmarked not less than 30 days prior to the performance test.

**Condition 26: Recordkeeping requirements.**



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 26.1:**

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.

**Excess emissions report.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 27.1:**

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (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;
- 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 and 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.

**Condition 28: Facility files for subject sources.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 28.1:**

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 performance evaluations; all continuous 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 inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 29: Performance testing timeline.**



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 29.1:**

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 30: Performance test methods.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 30.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

**Condition 31: Required performance test information.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 31.1:**

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

**Condition 32: Prior notice.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 32.1:**

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

**Condition 33: Performance testing facilities.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 33.1:**

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;

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 34: Number of required tests.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 34.1:**

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 35: Opacity standard compliance testing.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 35.1:**

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 of 40 CFR Part 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 36: Circumvention.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 36.1:**

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.

**Monitoring requirements.**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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

**Item 37.1:**

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

**Condition 38: Modifications.**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 38.1:**

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 39: Reconstruction**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 39.1:**

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) the location 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;
- 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 41: Facility Subject to Title IV Acid Rain Regulations and Permitting**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

**Applicable Federal Requirement: 40CFR 72**

**Item 41.1:** 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 43: Required emission tests**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 43.1:**

Condition applies to

Emission Unit: U-00001

**Item 43.2:**

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

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 44.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 44.2:**

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: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



The initial report is due 4/30/2004.

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

**Condition 45: Custom fuel monitoring for nitrogen and sulfur content.  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 45.1:**

Condition applies to

Emission Unit: U-00001

**Item 45.2:**

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.



**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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)**

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.

**Item B: 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

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



law.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 46: Contaminant List**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**Applicable State Requirement: ECL 19-0301**

**Item 46.1:**

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

ie: CARBON MONOXIDE

CAS No: 0NY210-00-0

: OXIDES OF NITROGEN

**Condition 47: Unavoidable noncompliance and violations**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 47.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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 superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air taminants 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 48: Facility Permissible Emissions**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 48.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000630-08-0 PTE: 197,800 pounds per year  
ie: CARBON MONOXIDE

CAS No: 0NY210-00-0 PTE: 45,000 pounds per year  
: OXIDES OF NITROGEN

**Condition 49: Emission Unit Definition**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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

**Item 49.1:**

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

Emission Unit: U-00001

Emission Unit Description:

Emission unit U00001 includes the facility's two gas turbines and associated control equipment. The emission unit includes one processes: process P01 involves the combustion of natural gas in GE LM6000 turbine #1 and/or GE LM6000 turbine #2 under normal conditions. Emission points 00001 is located on the roof of building B1. Emission point 00002 is located on the roof of building B2.

Building(s): B1  
B2

**Condition 50: Compliance Demonstration**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 50.1:**

The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 50.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission points 00001 and 00002 will each be equipped with a CEMS to monitor NOx emissions. The black start generator will be equipped with an hour meter. Daily facility NOx emissions will be calculated by adding together daily NOx emissions from each CEMS and NOx emissions from the black start generators. Monthly facility NOx emissions will be used to calculate annual facility emissions. The annual facility NOx emissions,



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

rolled monthly, will not exceed 45,000 pounds per year.

Manufacturer Name/Model Number: NOx CEM  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 45000 pounds per year  
Reference Test Method: 40 CFR 75  
Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 51.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

**Item 51.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility's emergency (black start) generators will not be operated more than 100 hours per year. The hours of operation of the generator will be measured with an hour meter attached directly to the generator.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 100 hours

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

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

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



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

**Item 52.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 52.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility's turbines will not be operated below 60% load, except during periods of start-up and shutdown. The fuel heat input to each turbine and the power output from each turbine will be monitored and recorded continuously.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**Condition 53: Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 53.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

**Item 53.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emission points 00001 and 00002 will each be equipped with a CEMS to monitor CO emissions. The black start generator will be equipped with an hour meter. Daily facility CO emissions will be calculated by adding together daily CO emissions from each CEMS and CO



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

emissions from the black start generators. Monthly facility CO emissions will be used to calculate annual facility emissions. The annual facility CO emissions, rolled monthly, will not exceed 197,800 pounds per year.

Manufacturer Name/Model Number: CO CEM  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 197800 pounds per year  
Reference Test Method: Method 10  
Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Condition 54: Air pollution prohibited**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 54.1:**

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 nation with others.

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

**Condition 55: Emission Point Definition By Emission Unit**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 55.1:**

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 75

Diameter (in.): 144

NYTMN (km.): 4494.

NYTME (km.): 568.

Building: B1



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

Emission Point: 00002

Height (Diameter (in.): 144

NYTMN (km.): 4494. NYTME (km.): 568. Building: B2

**Condition 56: Emission Unit Permissible Emissions  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 56.1:**

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

Emission Unit: U-00001

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 15 pounds per hour  
197,800 pounds per year

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 3.4 pounds per hour  
45,000 pounds per year

**Condition 57: Process Definition By Emission Unit  
Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 57.1:**

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

Emission Unit: U-00001

Process: P01

Source Classification Code: 2-01-002-01

Process Description:

Process P01 involves the combustion of natural gas in two GE LM6000 gas turbines under normal conditions. The turbines (emission sources TUR1 and TUR2) are simple cycle turbines that drive a synchronous 2-pole cylindrical rotor electric generator. Water injection is used to control NOx emissions from the turbines. Supplemental NOx emission control is provided by selective catalytic reduction (SCR) (emission controls SCR1 and SCR2). CO emissions from the turbine are controlled by catalytic oxidation (emission controls CAT1 and CAT2). Ammonia is injected into the turbine exhaust upstream of SCR1 and SCR2. The emission

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



control equipment requires a proper operating temperature be maintained during use.

Emission Source/Control: 0TUR1 - Combustion  
Design Capacity: 280 million British thermal units

Emission Source/Control: 0TUR2 - Combustion  
Design Capacity: 280 million British thermal units

Emission Source/Control: 0CAT1 - Control  
Control Type: CATALYTIC OXIDATION-FLUE GAS  
DESULFURIZATION

Emission Source/Control: 0CAT2 - Control  
Control Type: CATALYTIC OXIDATION-FLUE GAS  
DESULFURIZATION

Emission Source/Control: 0SCR1 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: 0SCR2 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Condition 58: Compliance Demonstration**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 58.1:**  
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):  
CAS No: 000630-08-0 CARBON MONOXIDE

**Item 58.2:**  
Compliance Demonstration shall include the following monitoring:

Capping: Yes  
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:  
The exhaust stack associated with process P01 will be equipped with a CEMS to measure CO emissions. The proposed CO limit, for this process, is not applicable during periods of startup or shutdown.





**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

The initial report is due 4/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 60.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 60.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Startup shall be defined as the period when the gas turbines begin firing fuel until the point when the control equipment operation has achieved a mass emission rate for oxides of nitrogen below 3.4 pounds per hour. This period shall be limited to a maximum of 30 minutes per occurrence. The owner or operator shall record each period of startup and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emission report.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

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

**Condition 61: Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 61.1:**

The Compliance Demonstration activity will be performed for:

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

**Item 61.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Each turbine shall be equipped with a continuous emissions monitor. The mass emission limit for oxides of nitrogen during normal operation of the turbine (i.e., operation between 60% and 100 % load) shall be 3.4 pounds per hour.

Manufacturer Name/Model Number: Continuous emissions monitor

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 3.4 pounds per hour

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

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

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 62.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**Item 62.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Shutdown shall be defined as the period when the gas turbines cease firing fuel and the turbine stops turning.

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



This period shall be limited to a maximum of 20 minutes per occurrence. The owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emission report.

Manufacturer Name/Model Number: CO CEM  
Parameter Monitored: DURATION OF SHUTDOWN  
Upper Permit Limit: 20 minutes  
Reference Test Method: Method 20  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 63.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 63.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Each turbine shall be equipped with a continuous emissions monitor for Carbon Monoxide. The mass emissions limit for Carbon Monoxide during normal operation (i.e., operation between 60% and 100% load) shall be 15 pounds per hour.

Manufacturer Name/Model Number: Continuous emissions monitor

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 15 pounds per hour



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

Reference Test Method: Method 20  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Condition 64: Compliance Demonstration**  
**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 64.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-41-7

AMMONIA

**Item 64.2:**

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 ammonia slip, in accordance with the manufacturer's specifications. The facility must submit a compliance test protocol, for an initial ammonia slip compliance test using USEPA conditional test method 27, for Department approval. Within 180 days of the initial operation of the SCR, the facility must perform a compliance test and submit the results for Department approval. All records shall be maintained for a minimum of five years.

Manufacturer Name/Model Number: AMMONIA ANALYZER

Parameter Monitored: AMMONIA

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

Reference Test Method: As listed Above

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.



**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**

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

**Condition 65: Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 65.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 65.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The permittee shall continuously monitor the exhaust gas concentration of oxides of nitrogen. The permittee shall maintain records of oxides of nitrogen measurements at the facility for a period no less than five years. The emission limit for NO<sub>x</sub> is 2 parts per million.

Manufacturer Name/Model Number: NO<sub>x</sub> CEM

Parameter Monitored: OXIDES OF NITROGEN

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

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

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

**Compliance Demonstration**

**Effective between the dates of 03/26/2004 and Permit Expiration Date**

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

**Item 66.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

**New York State Department of Environmental Conservation**

**Permit ID: 2-6403-00196/00001**

**Facility DEC ID: 2640300196**



Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 66.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall continuously monitor emissions of carbon monoxide. This limit shall apply during periods of startup and shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. The maximum amount of carbon monoxide emitted per occurrence shall be 43 pounds.

Manufacturer Name/Model Number: CO CEM

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 43 pounds

Reference Test Method: Method 20

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

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