

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 3334600011**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 3-3346-00011/00017  
Mod 0 Effective Date: 11/29/2001 Expiration Date: 11/29/2006  
Mod 1 Effective Date: 11/12/2003 Expiration Date: 11/29/2006

Permit Issued To: DYNEGY NORTHEAST GENERATION  
992 RIVER RD  
NEWBURGH, NY 12550

Contact: MARK MCLEAN  
DYNEGY NORTHEAST GENERATION INC  
992 RIVER ROAD  
NEWBURGH, NY 12550  
(845) 563-4960

Facility: DANSKAMMER GENERATING STATION  
994 RIVER RD  
NEWBURGH, NY 12550

Contact: MARK MCLEAN  
DYNEGY NORTHEAST GENERATION INC  
992 RIVER ROAD  
NEWBURGH, NY 12550  
(845) 563-4960

Description:  
**Modification 1**

The Environmental Protection Agency (EPA) received a petition from the New York Public Interest Research Group, Inc. (NYPIRG) dated November 18, 2001 requesting that EPA object to the issuance of a state operating permit, pursuant to Title V of the Clean Air Act for the Danskammer Generating Station. EPA issued an "Order Granting in Part and Denying in Part Petition for Objection to Permit" on February 14, 2003. Subsequently, EPA issued a letter dated March 13, 2003 outlining permit revisions required by the Order and outlining additional issues that may require permit revisions.

A summary of changes to the Title V permit required by the February 14, 2003 USEPA Order are listed below. Information identifying permit revisions associated with this modification are shown in bold.

Modify original Title V permit condition 5 to specify Electrostatic Precipitator operating parameters and require digital or automatic recording of data. **Modified permit condition**



**1-1 replaces condition 5.**

Prepare and submit a complete statement of basis (a "permit review report") pursuant to the requirements of 40 CFR Part 70.7(a)(5). The permit review report must contain specific information pertaining to the utilization of Continuous Opacity Monitors, the Method 9 observation required for the coal handling operation, and Method 9 observation required for the fly and bottom ash handling facility. **A complete permit review report has been developed and is available for inspection.**

Add language to clarify the requirements relating to annual compliance certification reporting and remove the language "unless another quarter has been acceptable to the Department". **Issued permit condition 29 has been expired. See modified permit condition 1-6 and permit review report.**

Remove excuse provisions that cite 6 NYCRR Part 201-1.4 from the federal side of the permit and incorporate language acknowledging that DEC cannot exercise more discretion than federal requirements allow. **Issued permit condition 8 expired. See modified permit condition 1-26.**

Revise issued permit conditions 72 and 76 of the permit to properly cite the original authority of establishing a particulate emissions limit of 0.03 lb/mmBTU. **Modified permit conditions 1-21 and 1-23 replace issued permit conditions 72 and 76 respectively.**

Specify emission test method required under issued permit 77. **Issued permit condition 77 expired. See modified permit condition 1-24.**

A summary of additional issues outlined by EPA's March 13, 2003 letter which were identified as may require permit revisions are listed below. Information describing permit revisions associated with this modification are shown in bold.

Modify issued permit condition 77 control efficiency to 99.6% to reflect past permitting limit or explain in the statement of basis why 99% baghouse control is sufficient to meet the 6NYCRR 212 emission limit of 0.05 grains/cubic foot. **Issued permit condition 77 expired. See modified permit condition 1-24 and permit review report.**

Revise issued permit condition 6 to include monitoring of baghouse for pressure differential. **Modified permit condition 1-2 replaces condition 6. Monitoring frequency has been changed to weekly in lieu of installing pressure gauges. See permit review report.**

Provide additional information under condition 31 - summary of non-applicable requirements. **Condition 31 has been expired. See permit review report.**

Revise issued permit condition 44 to indicate fuel oil supplier certification records retention of not less than 5 years. **Modified permit condition 1-7 replaces condition 44.**



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Modification 1 also includes a number of standard permit condition expirations and replacements consistent with the ongoing enhancements to the implementation of NYSDEC's Title V permitting process. Each permit condition expired and new condition are identified in the complete version of the permit.

As requested by the permittee, additional administrative changes to the Title V permit are incorporated into this modification 1 and are listed below.

Addition of language for low NOx burners to the process descriptions associated with Units 3 and 4. **See modified permit condition 64.**

Correction of the submittal deadline for quarterly opacity reports to 60 days after the calendar quarter. **Modified permit condition 1-18 replaces condition 65. Modified permit condition 1-19 replaces condition 67. Modified permit condition 1-20 replaces condition 69. Modified permit condition 1-22 replaces condition 73.**

Change of the non-ozone season start date to October 1, as specified in 6NYCRR Part 227-2. **Modified permit condition 1-9 replaces condition 47.**

Deletion of the initial CEM report due date of 3/1/2002, which is inconsistent with calendar quarter reporting. **Modified permit condition 1-8 replaces condition 46. Modified permit condition 1-10 replaces condition 48. Modified permit condition 1-11 replaces condition 51. Modified permit condition 1-13 replaces condition 55. Modified permit condition 1-14 replaces condition 56. Modified permit condition 1-15 replaces condition 57. Modified permit condition 1-16 replaces condition 58. Modified permit condition 1-17 replaces condition 61.**

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:           ROBERT J STANTON  
  NYS DEC DIVISION OF AIR RESOURCES  
  21 SOUTH PUTT CORNERS RD  
  NEW PALTZ, NY 12561-1696

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



**Notification of Other State Permittee Obligations**

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

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

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal-REGION 3  
HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

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

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Item 3.1:**

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

**Condition 1-1: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 1-1.1:**

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

**Item 1-1.2:**

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

**Item 1-1.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute,



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regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 4: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13(a)**

**Expired by Mod No: 1**

**Item 4.1:**

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

**Item 4.2:**

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

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

**Item 1-2.1:**

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

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

**Condition 5: Permit Modifications, Suspensions, and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**Expired by Mod No: 1**

**Item 5.1:**

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

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

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

**Item 2.1:**

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

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

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

**Condition 6: Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 6.1:**

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

NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: DYNEGY NORTHEAST GENERATION

992 RIVER RD

NEWBURGH, NY 12550

Contact: MARK MCLEAN

DYNEGY NORTHEAST GENERATION INC

992 RIVER ROAD

NEWBURGH, NY 12550

(845) 563-4960

Facility: DANSKAMMER GENERATING STATION

994 RIVER RD

NEWBURGH, NY 12550

Contact: MARK MCLEAN

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NEWBURGH, NY 12550

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Authorized Activity By Standard Industrial



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

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- 1-2 Compliance Certification
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- 1-18 Compliance Certification (EU=U-D0001,EP=00001)
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- 68 Compliance Certification (EU=U-D0002,EP=00002,Proc=D20,ES=SD002)



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- 1-20 Compliance Certification (EU=U-D0003,EP=00003)
- 70 Compliance Certification (EU=U-D0003,EP=00003,Proc=D30,ES=SD003)
- 71 Compliance Certification (EU=U-D0003,EP=00003,Proc=D3C,ES=SD003)
- 1-21 Compliance Certification (EU=U-D0003,EP=00003,Proc=D3C,ES=SD003)
- 1-22 Compliance Certification (EU=U-D0004,EP=00004)
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**Facility Level**

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**Classification Code:**

4911 - ELECTRIC SERVICES

Mod 0 Permit Effective Date: 11/29/2001

Permit Expiration Date: 11/29/2006

Mod 1 Permit Effective Date: 11/12/2003

Permit Expiration Date: 11/29/2006



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

Any person who owns or operates an air contamination

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

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

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

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

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the



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emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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

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

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

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

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

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

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

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requirements, regulations, or law.

- Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**  
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.
- Item K: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**  
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item L: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item M: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission**

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**Requirements - 6 NYCRR Part 201-6.5(a)(3)**

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

**Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)**

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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

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

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

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

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

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted

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facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

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

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

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

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

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

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

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

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

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

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

No permit revision will be required for operating changes that contravene an express permit term, provided that such

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changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

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

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

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Act;

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

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

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

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

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

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

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

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

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

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a shorter time period in the case of an emergency.

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

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

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

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

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

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

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

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

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

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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 subject to annual compliance certification requirements for Title V permits only.**

**Condition 3: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 3.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5    SULFUR DIOXIDE

**Item 3.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to ensure compliance with the national ambient air quality standard for sulfur dioxide, any no. 6 fuel oil burned in Units 1, 2, 3, and 4 shall not exceed 1.0 percent by weight. The facility shall use an independent laboratory to determine the sulfur content in the fuel oil.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR

Upper Permit Limit: 1.0 percent by weight

Monitoring Frequency: PER DELIVERY

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



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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-1: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Replaces Condition(s) 5**

**Item 1-1.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-1.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall operate the electrostatic precipitators when burning coal or oil, except during times of start-up and shutdown. The facility shall operate and maintain its electrostatic precipitators (ESPs) in a manner consistent with good air pollution control practice for minimizing emissions.

The facility shall comply with the following in regard to the ESPs:

1. Monitor the number of operational fields, primary and secondary voltage and current, and spark rate;
2. Monitor current and voltage at each transformer and spark rate in each section;
3. Use ammeters, voltmeters, or other instrumentation, as appropriate, to measure the above parameters;
4. Acquire and measure data as follows:
  - i. data shall be recorded by distributed control system (DCS) or similar digital data acquisition system at all times. When the DCS becomes inoperable, the facility must log the duration of the malfunction period with the cause of the malfunction and submit this information in the semi-annual report. During the DCS malfunction period, the data may be manually recorded for each six-minute period during which the average opacity exceeds 20 percent. The current facility DCS shall be updated to process the ESP operating data and shall be operational within 180 days of issuing this permit modification;

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- ii. data measurements shall be reported in terms of operational fields, amps, volts, or sparks per minute, as appropriate;
- iii. data shall be recorded automatically on a strip chart or digital data acquisition system when data is collected digitally, or in an operational log when data is recorded during DCS malfunction.

5. Maintain baseline ESP operating parameter records and sampling data concurrent with emission test or historical plant records of ESP performance parameters; and

6. Calibrate, maintain, and operate instrumentation according to manufacturer's recommendations.

7. Proper operating ranges for ESP parameters are listed below.

Parameter	Unit 1	Unit 2	Unit 3	Unit 4
Operating 12 to 16 Fields	2	2	6 to 8	
Voltage max (kV)	400 max	400 max	480 max	480
Primary Current (amps)	0-120 max	0-120 max	0-100 max	0-100 max
Secondary Voltage max (kV)	>0-45 max	>0-45 max	>0-55 max	>0-55 max
Secondary Current max (mA)	750 max	750 max	850 max	650
Spark variable Rate	variable	variable	variable	

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Monitoring Frequency: AS REQUIRED - SEE MONITORING  
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-2: Compliance Certification**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Replaces Condition(s) 6**

**Item 1-2.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-2.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The fabric filters at the facility shall be inspected at least once each week. This pertains to the fabric filters associated with the air exhausts from the following emission sources: coal crushers, bunkers, the two vacuum pumps, and the two fly ash storage silos. The following information shall be recorded after each inspection: the date and time of the inspection, any problems found, and any maintenance performed.

Monitoring Frequency: WEEKLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

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

**Condition 27: Emission Unit Definition**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 27.1(From Mod 1):**

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

Emission Unit: U-D0001

Emission Unit Description:

DANSKAMMER UNIT #1 IS A 65 MW COMBUSTION ENGINEERING TANGENTIALLY FIRED STEAM GENERATING BOILER. THE UNIT BEGAN COMMERCIAL OPERATION IN 1951 WITH THE ABILITY TO BURN BITUMINOUS COAL AND WAS MODIFIED IN 1971 TO BURN NO 6 OIL AND NATURAL GAS.

Building(s): D1

**Item 27.2(From Mod 1):**

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

Emission Unit: U-D0002

Emission Unit Description:

DANSKAMMER UNIT #2 IS A 65 MW COMBUSTION ENGINEERING TANGENTIALLY FIRED STEAM GENERATING BOILER. THE UNIT BEGAN COMMERCIAL OPERATION IN 1954 WITH THE ABILITY TO BURN NATURAL GAS AND BITUMINOUS COAL AND WAS MODIFIED IN 1971 TO BURN NO 6 OIL AND NATURAL GAS.

Building(s): D2

**Item 27.3(From Mod 1):**

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

Emission Unit: U-D0003

Emission Unit Description:

DANSKAMMER UNIT #3 IS A 135 MW COMBUSTION ENGINEERING TANGENTIALLY FIRED STEAM GENERATING BOILER. THE UNIT BEGAN COMMERCIAL OPERATION IN 1959 (BURNING BITUMINOUS COAL), BUT WAS CONVERTED TO RESIDUAL OIL FIRING IN 1971. THE UNIT OPERATED ON OIL UNTIL A RECONVERSION TO COAL IN 1987. THE UNIT RETAINS THE CAPABILITY TO BURN ALL THREE FUELS.

Building(s): D3/D4

**Item 27.4(From Mod 1):**

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



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Emission Unit: U-D0004

Emission Unit Description:

DANSKAMMER UNIT #4 IS A 235 MW COMBUSTION ENGINEERING TANGENTIALLY FIRED STEAM GENERATING BOILER. THE UNIT BEGAN COMMERCIAL OPERATION IN 1967 (PRESSURIZED COAL FIRING), BUT WAS CONVERTED TO RESIDUAL OIL FIRING IN 1970. THE UNIT OPERATED ON OIL UNTIL A RECONVERSION TO COAL IN 1987. THE UNIT RETAINS THE CAPABILITY TO BURN ALL THREE FUELS.

Building(s): D3/D4

**Item 27.5(From Mod 1):**

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

Emission Unit: U-D0007

Emission Unit Description:

EMISSION UNIT #7 IS COMPRISED OF THE FACILITY'S COAL UNLOADING AND HANDLING FACILITIES. COAL IS DELIVERED VIA RAIL AND MARINE VESSELS AND OFFLOADED TO A LARGE OUTDOOR STORAGE PILE. THE COAL IS TRANSFERRED FROM THIS ACTIVE PILE (VIA COVERED CONVEYORS) TO COAL CRUSHERS AND MILLS (OPERATED AT NEGATIVE PRESSURE) WHICH GRIND THE COAL AND FEED IT DIRECTLY INTO THE FIRING AREAS OF UNITS #3 AND #4. A RESERVE COAL PILE, MAINTAINED BY TRUCK, SERVES AS AN ADDITIONAL SOURCE OF COAL IN CASE OF INTERRUPTIONS IN COAL DELIVERIES OR SUPPLY.

**Item 27.6(From Mod 0):**

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

Emission Unit: U-D0008

Emission Unit Description:

EMISSION UNIT #8 IS COMPRISED OF THE FACILITY'S FLY AND BOTTOM ASH HANDLING FACILITIES AND SOLID WASTE MANAGEMENT (SWM) FACILITY. IN ADDITION TO FLY AND BOTTOM ASH, THE SWM FACILITY IS USED TO DISPOSE OF WATER TREATMENT SLUDGES AND PYRITES.

**Condition 1-3: Recordkeeping and reporting of compliance monitoring  
Effective between the dates of 11/12/2003 and 11/29/2006**

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



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**Item 1-3.1:**

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

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

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

**Condition 1-4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Item 1-4.1:**

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

**Condition 1-5: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Item 1-5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with

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respect to reporting, the permittee must:

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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal

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

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office



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and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) 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 4/30/2004.

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

**Condition 1-6: Compliance Certification**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Item 1-6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to

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certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

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

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

The address for the RAPCE is as follows:

Region 3 Suboffice  
200 White Plains Road, 5th Floor  
Tarrytown, NY 10591-5805

The address for the BCME is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 11/14/2002.

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Subsequent reports are due on the same day each year

**Condition 33: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 202-2.1**

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 34: Recordkeeping requirements**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 202-2.5**

**Item 34.1:**

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

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

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

**Condition 35: Permit requirements.**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 35.1:** The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall submit to the Department a complete NO<sub>x</sub> Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NO<sub>x</sub> Budget unit commences operation.

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**Condition 36: Contents of reports and compliance certifications.  
Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 36.1:** 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:

- (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 37: Compliance Certification  
Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 37.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 37.2:**

Compliance Certification shall include the following monitoring:

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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 39: General provisions.**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 39.1:** 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 40: Prohibitions.**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 40.1:** No owner or operator of a NOx Budget unit or a non-NOx Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

- (1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
- (2) operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;
- (3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and
- (4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the



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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 38: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 38.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

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

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Washington D.C.

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

The address for the BCME is as follows:

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

ACR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

21 South Putt Corners Road  
New Paltz, NY 12561-1696

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-7: Compliance Certification**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Replaces Condition(s) 44**

**Item 1-7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the



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oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request. All records shall be available for a minimum of five years.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 45: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 45.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of Units 1, 2, 3, and 4 shall submit an accurate excess opacity emissions and continuous opacity monitoring system (COMS) report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

(1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not exceed 27 percent;

(2) For each period of excess emission, specific identification of the cause and corrective action taken;

(3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS

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downtime period;

(4) The total time in which the COMS are required to record data during the reporting period;

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

(6) Such other things as the Department may deem necessary, proper or desirable in order to enforce Article 19 of the Environmental Conservation Law or the rules promulgated thereunder.

Item (6) includes the Opacity Incident Report (OIR) which shall be prepared for each excess opacity event. Each OIR shall include a description of the sequence of events, an explanation of the cause of the event, a description of the corrective actions taken and any appropriate preventive measures.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-8: Compliance Certification**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Replaces Condition(s) 46**

**Item 1-8.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 1-8.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator must use the system averaging equation, attached to the Title V permit, as specified in the "NO<sub>x</sub> Emissions Compliance Plan For Central Hudson Gas & Electric Corporation" (dated November 1993), as approved by the Department (as per the April 29, 1994 letter), in



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order to comply with NOx emission limitations. The following power generating units are included in the plan: Roseton 1 and 2, and Danskammer 1, 2, 3, and 4. The NOx emission limit to be used in the averaging equation for each generating unit is 0.25 pounds per million BTU when burning gas or oil, and 0.42 pounds per million BTU when burning coal. During the ozone season (May 1 to September 30) of each year, a 24 hour weighted average of all generating units must be used to calculate the system wide NOx emission limit. During the remainder of the year, a 30 day rolling average may be used.

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-9: Compliance Certification**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-2.6(b)(3)(i)**

**Replaces Condition(s) 47**

**Item 1-9.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 1-9.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For Units 1, 2, 3, and 4 the owner and/or operator shall:

(a) calculate all 24-hour daily arithmetic average NOx emission rates from block hourly arithmetic emission rate averages calculated using data points generated by the CEMS and expressed in terms of pounds of NOx per million BTU;

(b) demonstrate compliance with the appropriate emission limit by using CEMS for measuring NOx and calculating a 24-hour daily arithmetic average NOx emission rate using 40 CFR 60, Appendix A, Method 19. A 30 day rolling

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average may be used to demonstrate compliance with the appropriate emission limit from October 1 to April 30;

(c) determine the 24-hour daily arithmetic average NO<sub>x</sub> emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through the last period 11:00 p.m. to 12:00 a.m., or starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m. The 30 day rolling average shall be the average of the 24 hour daily arithmetic NO<sub>x</sub> emission rates for a 30 day period: and

(d) use at least three data points, collected at 15 minute intervals, to calculate the block hourly arithmetic average emission rates to be used in calculating the 24 hour daily arithmetic average NO<sub>x</sub> emission rate.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-10: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-2.6(b)(4)(iv)**

**Replaces Condition(s) 48**

**Item 1-10.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 1-10.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Following each calendar quarter, for Units 1, 2, 3, and 4, the owner and/or operator shall tabulate and summarize applicable emission, monitoring, and operating parameter measurements (including but not limited to type and fuel



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burned daily, heat content of the fuel, total heating value of the fuel consumed daily, the actual NO<sub>x</sub> emission rate, the allowable NO<sub>x</sub> emission rate, and the summation of the units included in the averaging scheme), and any of the following operating parameters which are applicable, recorded during the preceding three months. Such quarterly summaries must be submitted within 30 days after the end of each calendar quarter in either a format complying with 6NYCRR Part 227-3.15 or a format acceptable to the Department, and include at a minimum:

- (a) the average NO<sub>x</sub> emission rate;
- (b) identification of the operating days where NO<sub>x</sub> emissions data is not included in the calculation of the average emission rate and the reasons for not including that data; and
- (c) the results of the daily NO<sub>x</sub> continuous emission monitor drift test and accuracy assessments as required by 40 CFR 60 Appendix F and any additional data quality requirements determined appropriate by the Department.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

**Condition 49: Authorized Account Representatives (AARs)**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-3.12**

**Item 49.1:** Each budget source must designate an AAR, and may designate an alternate AAR, for each compliance account and compliance overdraft account.

**Condition 50: General provisions for emissions monitoring.**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-3.13**

**Item 50.1:** The owner and/or operator of each budget source subject to this Subpart must comply with the following requirements, as applicable:

- (1) NO<sub>x</sub> mass emissions from each budget source shall be monitored as specified in both this Section and



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the Guidance Document, (The January 28, 1997 document issued by the Ozone Transport Commission titled "Guidance for Implementation of Emission Monitoring Requirements for the NOx Budget Program" as well as attendant and incorporated documents including the July 3, 1997 document issued by the OTC titled "NOx Budget Program Monitoring Certification and Reporting Requirements" and the July 3, 1997 document issued by the Administrator titled "Electronic Data Reporting, Acid Rain Program/NOx Budget Program.")

(2) A monitoring plan for each existing budget source must be submitted to the Department in accordance with the procedures, but not the deadlines, outlined in the Guidance Document. The monitoring plan must be submitted within 30 days of the effective date of this Subpart.

(3) Emissions monitoring systems required by this Section shall be installed, operational and meet all of the certification testing requirements in accordance with the procedures outlined in the Guidance Document by May 1, 1999 or the first hour that the budget source is operating during a control period.

(4) Monitoring systems are subject to initial performance testing and periodic calibration, accuracy testing and quality assurance/quality control testing as specified in the Guidance Document.

(5) During a period when valid data are not being recorded by monitoring devices approved for use to demonstrate compliance with this Subpart, missing or invalid data shall be replaced with representative default data in accordance with the provisions of 40 CFR Part 75 and the Guidance Document.

(6) NOx emissions data shall be reported to the NETS in accordance with provisions of Section 227-3.15.

(7) Budget sources that commence operation during the allocation period shall begin reporting data in the first hour that the budget source is operating during a control period.

**Condition 1-11: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-3.15**

**Replaces Condition(s) 51**

**Item 1-11.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-11.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This budget source must submit to the Administrator, in a format which meets the requirements of the Administrator's Electronic Data Reporting convention, information regarding emissions and operations during each calendar quarter of each year in accordance with the procedures specified in the Guidance Document.



Monitoring Frequency: AS REQUIRED - SEE MONITORING  
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2004.  
Subsequent reports are due every 3 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-3.16**

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

(a) Each year during the period extending from November 1 through the allowance transfer deadline, December 31, this budget source may request the Administrator to deduct a number of allowances from the budget source's compliance account equal to the current year control period NO<sub>x</sub> emissions from the budget source. The request must include identification of the compliance account from which the deductions should be made. The request may include the serial numbers of the particular allowances to be deducted. If no serial numbers are included, the Administrator will first deduct allowances allocated for the current year control period. If the Administrator exhausts all allowances allocated for the current year control period, the Administrator will next deduct banked allowances in the compliance account in the order in which they were deposited. The request may only involve allowances placed in the budget source's compliance account; allowances in a compliance overdraft account or general account may not be deducted pursuant to the request.

(b) If, by November 1 of the current year, the total number of allowances in the budget source's compliance

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account and compliance overdraft account, including allowance transfer requests properly submitted to the Administrator, is less than the current year control period NOx emissions from the budget source, the budget source must obtain additional allowances by the allowance transfer deadline so that the total number of allowances in the compliance account and compliance overdraft account, including allowance transfer requests properly submitted to the Administrator by the allowance transfer deadline, at least equals the current year control period NOx emissions rounded to the nearest whole ton. The Administrator will not consider for compliance purposes allowances contained in any general account held by the owner and/or operator of the budget source.

(c) If, by the allowance transfer deadline, this budget source either makes no allowance deduction request or makes a request that is insufficient to meet the requirements of Subdivision 227-3.16(a), the Administrator will deduct a number of allowances from the budget source's compliance account and compliance overdraft account that equals the current year control period NOx emissions from the budget source. Under this Subdivision, the Administrator will deduct allowances in the following order:

- (1) Current year allowances from the compliance account in the order in which they were deposited.
- (2) Banked allowances in the compliance account in the order in which they were deposited.
- (3) Current year allowances from the compliance overdraft account in the order in which they were deposited.
- (4) Banked allowances from the compliance overdraft account in the order in which they were deposited.

(d) Any banked allowances deducted pursuant to this Section shall be deducted in accordance with the provisions of Section 227-3.9.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 53: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 227-3.17**

**Item 53.1:**



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The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) By December 31 of each year, this budget source must submit a compliance certification to the Department relating to the budget source's activities during the current year.
- (b) The compliance certification shall contain, at a minimum:
  - (1) identification of the budget source, including address of the budget source, name and address of the owner and/or operator, account numbers of the relevant compliance account and compliance overdraft account and the name of the AAR;
  - (2) a statement indicating whether NO<sub>x</sub> emissions data have been reported to the NETS in accordance with the procedures set forth in Section 227-3.15 and any additional procedures established by the Administrator;
  - (3) a statement indicating whether the budget source has a number of allowances in its compliance account or compliance overdraft account equal to or greater than the budget source's NO<sub>x</sub> emissions for the current year control period;
  - (4) a statement indicating whether the monitoring data reflected the actual operation of the budget source;
  - (5) a statement indicating whether all NO<sub>x</sub> emissions from the budget source were accounted for, either through the relevant monitoring or application of the appropriate missing data procedures; and
  - (6) a statement indicating whether there were any changes in the method of operation of the budget source or the method of monitoring the budget source during the current year.
- (c) The Department may verify compliance by whatever means necessary, including, but not limited to, the following:
  - (1) inspection of budget source operating records;
  - (2) examining information contained in the NATS (NO<sub>x</sub>



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- Allowance Tracking System) regarding allowance deductions and transfers for the budget source;
- (3) examining information contained in the NETS (NO<sub>x</sub> Emission Tracking System) regarding NO<sub>x</sub> emissions from the budget source;
- (4) testing emission monitoring devices; and,
- (5) testing conducted pursuant to 6 NYCRR Part 202.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-12: Accidental release provisions.**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 68**

**Item 1-12.1:**

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

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

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866  
ATTN: Accidental Release Program contact

**Condition 54: Compliance Certification**

**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 72.9, Subpart A**

**Item 54.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 54.2:**

Compliance Certification shall include the following monitoring:



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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of Units 1, 2, 3, and 4 shall have an Acid Rain Permit and shall operate these units in compliance with the Acid Rain Permit. The Acid Rain Permit shall be attached to and part of the Title V permit. For Units 1, 2, 3, and 4, the facility must comply with the Acid Rain emission limitations or reduction requirements for SO<sub>2</sub> and NO<sub>x</sub> and with the monitoring requirements of 40 CFR 75.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-13: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.10(a), Subpart B**

**Replaces Condition(s) 55**

**Item 1-13.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-13.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall measure opacity and all SO<sub>2</sub>, NO<sub>x</sub>, and CO<sub>2</sub> emissions for each affected unit as follows:

(1) The owner or operator shall install, certify, operate, and maintain, in accordance with all the requirements of this part, a SO<sub>2</sub> CEMS and a flow monitoring system with the automated data acquisition and handling system for measuring and recording SO<sub>2</sub> concentration (in ppm), volumetric gas flow (in scfh), and SO<sub>2</sub> mass emissions (in lb/hr) discharged to the atmosphere, except as provided in §§75.11 and 75.16 and subpart E of this part;

(2) The owner or operator shall install, certify, operate, and maintain, in accordance with all the requirements of this part, a NO<sub>x</sub> CEMS (consisting of a NO<sub>x</sub> pollutant concentration monitor and an O<sub>2</sub> or CO<sub>2</sub> diluent gas monitor) with the automated data acquisition and handling system for measuring and recording NO<sub>x</sub> concentration (in ppm), O<sub>2</sub> or CO<sub>2</sub> concentration (in



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percent O<sub>2</sub> or CO<sub>2</sub>) and NO<sub>x</sub> emission rate (in lb/mmBtu) discharged to the atmosphere. The owner or operator shall account for total NO<sub>x</sub> emissions, both NO and NO<sub>2</sub>, either by monitoring for both NO and NO<sub>2</sub> or by monitoring for NO only and adjusting the emissions data to account for NO<sub>2</sub>;

(3) The owner or operator shall install, certify, operate, and maintain, in accordance with all the requirements of this part, a CO<sub>2</sub> CEMS and a flow monitoring system with the automated data acquisition and handling system for measuring and recording CO<sub>2</sub> concentration (in ppm or percent), volumetric gas flow (in scfh), and CO<sub>2</sub> mass emissions (in tons/hr) discharged to the atmosphere;

(4) The owner or operator shall install, certify, operate, and maintain, in accordance with all the requirements in this part, a continuous opacity monitoring system with the automated data acquisition and handling system for measuring and recording the opacity of emissions (in percent opacity) discharged to the atmosphere.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

**Condition 1-14: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.10(b), Subpart B**

**Replaces Condition(s) 56**

**Item 1-14.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-14.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Primary Equipment Performance Requirements. The owner or operator shall ensure that each CEMS required by this part meets the equipment, installation, and performance specifications in Appendix A to this part; and is maintained according to the quality assurance and quality control procedures in Appendix B to this part; and shall



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record SO<sub>2</sub> and NO<sub>x</sub> emissions in the appropriate units of measurement (i.e., lb/hr for SO<sub>2</sub> and lb/mmBtu for NO<sub>x</sub>).

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

**Condition 1-15: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.10(c), Subpart B**

**Replaces Condition(s) 57**

**Item 1-15.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-15.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Heat Input Measurement Requirement. The owner or operator shall determine and record the heat input to each affected unit for every hour or part of an hour any fuel is combusted following the procedures in Appendix F to this part.

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 1/30/2004.

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

**Condition 1-16: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.10(d), Subpart B**

**Replaces Condition(s) 58**

**Item 1-16.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-16.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Primary equipment hourly operating requirements. The owner or operator shall ensure that all continuous emission and opacity monitoring systems required by this part are in operation and monitoring unit emissions or opacity at all times that the affected unit combusts any fuel except as provided in §75.11(e) and during periods of calibration, quality assurance, or preventive maintenance, performed pursuant to §75.21 and appendix B of this part, periods of repair, periods of backups of data from the data acquisition and handling system, or recertification performed pursuant to §75.20. The owner or operator shall also ensure, subject to the exceptions above in this paragraph, that all continuous opacity monitoring systems required by this part are in operation and monitoring opacity during the time following combustion when fans are still operating, unless fan operation is not required to be included under any other applicable Federal, State, or local regulation, or permit. The owner or operator shall ensure that the following requirements are met:

(1) The owner or operator shall ensure that each CEMS and component thereof is capable of completing a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-min interval. The owner or operator shall reduce all SO<sub>2</sub> concentrations, volumetric flow, SO<sub>2</sub> mass emissions, SO<sub>2</sub> emission rate in lb/mmBtu (if applicable), CO<sub>2</sub> concentration, O<sub>2</sub> concentration, CO<sub>2</sub> mass emissions (if applicable), NO<sub>x</sub> concentration, and NO<sub>x</sub> emission rate data collected by the monitors to hourly averages. Hourly averages shall be computed using at least one data point in each fifteen minute quadrant of an hour, where the unit combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly average may be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour) if data are unavailable as a result of the performance of calibration, quality assurance, or preventive maintenance activities pursuant to §75.21 and appendix B of this part, backups of data from the data acquisition and handling system, or recertification, pursuant to §75.20. The owner or operator shall use all valid measurements or data points collected during an hour to calculate the hourly averages. All data points collected during an hour shall be, to the extent

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practicable, evenly spaced over the hour.

(2) The owner or operator shall ensure that each continuous opacity monitoring system is capable of completing a minimum of one cycle of sampling and analyzing for each successive 10-sec period and one cycle of data recording for each successive 6-min period. The owner or operator shall reduce all opacity data to 6-min averages calculated in accordance with the provisions of part 51, appendix M of this chapter, except where the applicable State implementation plan or operating permit requires a different averaging period, in which case the State requirement shall satisfy this Acid Rain Program requirement.

(3) Failure of an SO<sub>2</sub>, CO<sub>2</sub> or O<sub>2</sub> pollutant concentration monitor, flow monitor, or NOX CEMS, to acquire the minimum number of data points for calculation of an hourly average in paragraph (d)(1) of this section, shall result in the failure to obtain a valid hour of data and the loss of such component data for the entire hour. An hourly average NOX or SO<sub>2</sub> emission rate in lb/mmBtu is valid only if the minimum number of data points are acquired by both the pollutant concentration monitor (NOX or SO<sub>2</sub>) and the diluent monitor (CO<sub>2</sub> or O<sub>2</sub>). Except for SO<sub>2</sub> emission rate data in lb/mmBtu, if a valid hour of data is not obtained, the owner or operator shall estimate and record emission or flow data for the missing hour by means of the automated data acquisition and handling system, in accordance with the applicable procedure for missing data substitution in subpart D of this part.

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

**Condition 59: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.13(a), Subpart B**

**Item 59.1:**

The Compliance Certification activity will be performed for the Facility.



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**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall meet the general operating requirements in 40 CFR 75-B.10 for a CO<sub>2</sub> continuous emission monitoring system and flow monitoring system for each affected unit. The owner or operator shall also comply with the applicable provisions specified in 40 CFR 75-B.11 (a) through (e) or 40 CFR B-16, except the phrase "SO<sub>2</sub> continuous emission monitoring system" is replaced with "CO<sub>2</sub> continuous emission monitoring system," the term "maximum potential concentration for SO<sub>2</sub>" is replaced with "maximum CO<sub>2</sub> concentration," and the phrase "SO<sub>2</sub> mass emissions" is replaced with "CO<sub>2</sub> mass emissions."

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 60: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.20, Subpart C**

**Item 60.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 60.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Whenever the owner or operator makes a replacement, modification, or change in the certified continuous emission monitoring system or continuous opacity monitoring system (which includes the automated data acquisition and 230 handling system, and, where applicable, the CO<sub>2</sub> continuous emission monitoring system), that significantly affects the ability of the system to measure or record the SO<sub>2</sub> concentration, volumetric gas flow, SO<sub>2</sub> mass emissions, NO<sub>x</sub> emission rate, CO<sub>2</sub> concentration, or opacity, or to meet the requirements of appendix B of this 40 CFR 75, the owner or operator shall recertify the continuous emission monitoring system, continuous opacity monitoring system, or component thereof according to the procedures in 40 CFR 75. Examples of changes which



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require recertification include: replacement of the analytical method, including the analyzer; change in location or orientation of the sampling probe or site; rebuilding of the analyzer or all monitoring system equipment; and replacement of an existing continuous emission monitoring system or continuous opacity monitoring system.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-17: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 75.64(a), Subpart G**

**Replaces Condition(s) 61**

**Item 1-17.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-17.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The designated representative for an affected unit shall electronically report the data and information indicated below to the United States Environmental Protection Agency (US EPA) quarterly. Each report must be submitted within 30 days following the end of each calendar quarter and shall include:

(1) The information and hourly data required in 40 CFR 75.50 through 75.52 (or 75.54 through 75.56), excluding descriptions of adjustments, corrective action, and maintenance; information which is incompatible with electronic reporting (e.g., field data sheets, lab analyses, quality control plan); opacity data listed in 40 CFR 75.50(f) or 75.54(f); for units with SO<sub>2</sub> or NO<sub>x</sub> add-on emission controls that do not elect to use the approved site-specific parametric monitoring procedures for calculation of substitute data, the information in 40 CFR 75.55(b)(3); and the information recorded under 40 CFR 75.56(a)(7) for the period prior to January 1, 1996.

(2) Tons (rounded to the nearest tenth) of SO<sub>2</sub> emitted



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during the quarter and cumulative SO<sub>2</sub> emissions for the calendar year.

(3) Average NO<sub>x</sub> emission rate (pounds per million BTU, rounded to the nearest hundredth) during the quarter and cumulative NO<sub>x</sub> emission rate for the calendar year.

(4) Tons of CO<sub>2</sub> emitted during the quarter and cumulative CO<sub>2</sub> emissions for the calendar year.

(5) Total heat input (million BTU) for the quarter and cumulative heat input for the calendar quarter.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

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

**Condition 63: Emission Point Definition By Emission Unit  
Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 63.1(From Mod 1):**

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

Emission Unit: U-D0001

Emission Point: 00001

Height (ft.): 220

Diameter (in.): 144

NYTMN (km.): 4603.024 NYTME (km.): 586.332 Building: D1

**Item 63.2(From Mod 1):**

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

Emission Unit: U-D0002

Emission Point: 00002

Height (ft.): 220

Diameter (in.): 144

NYTMN (km.): 4603.024 NYTME (km.): 586.332 Building: D2

**Item 63.3(From Mod 1):**



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

Emission Unit: U-D0003

Emission Point: 00003

Height (ft.): 240

Diameter (in.): 113

Building: D3/D4

**Item 63.4(From Mod 1):**

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

Emission Unit: U-D0004

Emission Point: 00004

Height (ft.): 240

Diameter (in.): 151

NYTMN (km.): 4603.024 NYTME (km.): 586.332 Building: D3/D4

**Item 63.5(From Mod 0):**

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

Emission Unit: U-D0007

Emission Point: 1007A

Height (ft.): 25

Diameter (in.): 27

Emission Point: 1007B

Height (ft.): 20

Diameter (in.): 22

**Item 63.6(From Mod 0):**

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

Emission Unit: U-D0008

Emission Point: 02007

Height (ft.): 60

Diameter (in.): 14

Emission Point: 02008

Height (ft.): 60

Diameter (in.): 14

Emission Point: 02009

Height (ft.): 8

Diameter (in.): 6

Emission Point: 02010

Height (ft.): 8

Diameter (in.): 6

**Condition 64: Process Definition By Emission Unit**

**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 64.1(From Mod 1):**

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

Emission Unit: U-D0001

Process: D10

Source Classification Code: 1-01-004-01

Process Description:

THE COMBUSTION OF NO. 6 OIL. THE HEAT INPUT RATING OF THE BOILER IS 900 MMBTU/HR FOR NO. 6 OIL FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC PRECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF LOW EXCESS AIR AND COMBUSTION AIR MANIPULATION.

Emission Source/Control: SD001 - Combustion

Emission Source/Control: CD001 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

**Item 64.2(From Mod 1):**

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

Emission Unit: U-D0001

Process: D1G

Source Classification Code: 1-01-006-01

Process Description:

THE COMBUSTION OF NATURAL GAS. THE HEAT INPUT RATING OF THE BOILER IS 900 MMBTU/HR FOR NATURAL GAS FIRING. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF LOW EXCESS AIR COMBUSTION AIR MANIPULATION.

Emission Source/Control: SD001 - Combustion

**Item 64.3(From Mod 1):**

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

Emission Unit: U-D0002

Process: D20

Source Classification Code: 1-01-004-01

Process Description:

THE COMBUSTION OF NO. 6 OIL. THE HEAT INPUT RATING OF THE BOILER IS 900 MMBUT/HR FOR NO 6 OIL FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC PRECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF COMBUSTION AIR MANIPULATION THROUGH THE WINDBOX.

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Emission Source/Control: SD002 - Combustion

Emission Source/Control: CD002 - Control  
Control Type: ELECTROSTATIC PRECIPITATOR

**Item 64.4(From Mod 1):**

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

Emission Unit: U-D0002

Process: D2G

Source Classification Code: 1-01-006-01

Process Description:

THE COMBUSTION OF NATURAL GAS. THE HEAT INPUT RATING OF THE BOILER IS 900 MMBTU/HR FOR NATURAL GAS FIRING. EMISSIONS OF NOX ARE REDUCTED THROUGH THE USE OF LOW EXCESS AIR AND COMBUSTION AIR MANIPULATION.

Emission Source/Control: SD002 - Combustion

**Item 64.5(From Mod 1):**

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

Emission Unit: U-D0003

Process: D30

Source Classification Code: 1-01-004-01

Process Description:

THE COMBUSTION OF NO. 6 OIL. THE HEAT INPUT RATING OF THE BOILER IS 1034 MMBTU/HR FOR NO 6 OIL FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC RECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF SEPARATED OVERFIRE AIR, "BURNERS OUT OF SERVICE" (BOOS), AND LOW NOX BURNERS.

Emission Source/Control: SD003 - Combustion

Emission Source/Control: CD003 - Control  
Control Type: ELECTROSTATIC PRECIPITATOR

**Item 64.6(From Mod 1):**

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

Emission Unit: U-D0003

Process: D3C

Source Classification Code: 1-01-002-12

Process Description:

THE COMBUSTION OF COAL. THE HEAT INPUT RATING OF THE BOILER IS 1348 MMBTU/HR FOR



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COAL FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC PRECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF SEPARATED OVERFIRE AIR, "BURNERS OUT OF SERVICE" (BOOS), AND LOW NOX BURNERS.

Emission Source/Control: SD003 - Combustion

Emission Source/Control: CD003 - Control  
Control Type: ELECTROSTATIC PRECIPITATOR

**Item 64.7(From Mod 1):**

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

Emission Unit: U-D0003

Process: D3G

Source Classification Code: 1-01-006-01

Process Description:

THE COMBUSTION OF NATURAL GAS. THE HEAT INPUT RATING OF THE BOILER IS 1167 MMBTU/HR FOR NATURAL GAS FIRING. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF SEPARATED OVERFIRE AIR, "BURNERS OUT OF SERVICE" (BOOS), AND LOW NOX BURNERS.

Emission Source/Control: SD003 - Combustion

**Item 64.8(From Mod 1):**

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

Emission Unit: U-D0004

Process: D40

Source Classification Code: 1-01-004-01

Process Description:

THE COMBUSTION OF NO. 6 OIL. THE HEAT INPUT RATING OF THE BOILER IS 2004 MMBTU/HR FOR NO 6 OIL FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC PRECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF SEPARATED OVERFIRE AIR, "BURNERS OUT OF SERVICE" (BOOS), AND LOW NOX BURNERS.

Emission Source/Control: SD004 - Combustion

Emission Source/Control: CD004 - Control  
Control Type: ELECTROSTATIC PRECIPITATOR

**Item 64.9(From Mod 1):**

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

Emission Unit: U-D0004

Process: D4C

Source Classification Code: 1-01-002-12

Process Description:

THE COMBUSTION OF COAL. THE HEAT INPUT RATING OF THE BOILER IS 2512 MMBTU/HR FOR COAL FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC PRECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF SEPARATED OVERFIRE AIR, "BURNERS OUT OF SERVICE" (BOOS), AND LOW NOX BURNERS.

Emission Source/Control: SD004 - Combustion

Emission Source/Control: CD004 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

**Item 64.10(From Mod 1):**

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

Emission Unit: U-D0004

Process: D4G

Source Classification Code: 1-01-006-01

Process Description:

THE COMBUSTION OF NATURAL GAS. THE HEAT INPUT RATING OF THE BOILER IS 2397 MMBTU/HR FOR NATURAL GAS FIRING. PARTICULATE EMISSIONS ARE CONTROLLED BY A COLD SIDE ELECTROSTATIC PRECIPITATOR. EMISSIONS OF NOX ARE REDUCED THROUGH THE USE OF SEPARATED OVERFIRE AIR, "BURNERS OUT OF SERVICE" (BOOS), AND LOW NOX BURNERS.

Emission Source/Control: SD004 - Combustion

**Item 64.11(From Mod 1):**

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

Emission Unit: U-D0007

Process: C01

Source Classification Code: 3-05-010-44

Process Description:

COAL IS DELIVERED TO THE SITE VIA RAILCARS AND/OR MARINE VESSELS. THE COAL IS UNLOADED USING A SERIES OF CONVEYORS AND TRANSFERRED TO THE FACILITY'S ACTIVE STORAGE PILE.



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Emission Source/Control: CD011 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: SDHND - Process  
Design Capacity: 2,200 tons per hour

**Item 64.12(From Mod 1):**

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

Emission Unit: U-D0007  
Process: C02  
Source Classification Code: 3-05-010-43  
Process Description:  
COAL IS LOADED (DROP LOADED) ON TO THE  
FACILITY'S ACTIVE AND RESERVE STORAGE PILES  
VIA CONVEYOR BELT AND TRUCKS RESPECTIVELY.

Emission Source/Control: SDHND - Process  
Design Capacity: 2,200 tons per hour

**Item 64.13(From Mod 1):**

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

Emission Unit: U-D0007  
Process: C03  
Source Classification Code: 3-05-010-11  
Process Description:  
COAL IS TRANSFERRED BY BULLDOZER TO  
CONVEYOR HOPPER AND CONVEYED TO THE COAL  
CRUSHER.

Emission Source/Control: SDTRN - Process  
Design Capacity: 2,000 tons per hour

**Item 64.14(From Mod 1):**

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

Emission Unit: U-D0007  
Process: C04  
Source Classification Code: 3-05-010-17  
Process Description:  
COAL IS CRUSHED PRIOR TO BEING CONVEYED TO  
STORAGE BUNKERS. FROM THE STORAGE BUNKER  
THE COAL IS CONVEYED TO COAL MILLS.  
EMISSIONS FROM BOTH THE STORAGE BUNKERS AND  
CRUSHERS ARE CONTROLLED BY BAGHOUSES  
(FABRIC FILTERS).

Emission Source/Control: CD005 - Control  
Control Type: FABRIC FILTER



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Emission Source/Control: CD006 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: SDCRS - Process  
Design Capacity: 2,200 tons per hour

Emission Source/Control: SDSTO - Process

**Item 64.15(From Mod 0):**

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

Emission Unit: U-D0008

Process: F01

Source Classification Code: 3-01-060-10

Process Description:

THE TRANSFER OF ASH FROM THE ELECTROSTATIC  
PRECIPITATORS TO THE STORAGE SILOS.

Emission Source/Control: CD007 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: CD008 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: SDVP1 - Process

Emission Source/Control: SDVP2 - Process

**Item 64.16(From Mod 0):**

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

Emission Unit: U-D0008

Process: F02

Source Classification Code: 3-01-060-10

Process Description: THE STORAGE OF ASH IN THE SILOS.

Emission Source/Control: CD009 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: CD010 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: SDSL1 - Process

Emission Source/Control: SDSL2 - Process

**Condition 1-18: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

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

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**Replaces Condition(s) 65**

**Item 1-18.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0001 Emission Point: 00001

**Item 1-18.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 2/29/2004.

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

**Condition 66: Compliance Certification**

**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0001 Emission Point: 00001

Process: D10 Emission Source: SD001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 66.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow an emission into the



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outdoor atmosphere of particulates in excess of 0.10 pounds per million BTU heat input from any stationary combustion installation with a maximum heat input capacity exceeding 250 million BTU per hour using oil. The facility shall perform emission testing on Unit 1 or 2 in order to ascertain compliance with this limit. Within 180 days of issuance of the Title V permit, the facility shall submit to the Department a test protocol of the methods and procedures to be used. After Department approval of the test protocol, the facility shall perform the test.

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 1-19: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Replaces Condition(s) 67**

**Item 1-19.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0002 Emission Point: 00002

**Item 1-19.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 2/29/2004.

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

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**Condition 68: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0002    Emission Point: 00002  
Process: D20                      Emission Source: SD002

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

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of 0.10 pounds per million BTU heat input from any stationary combustion installation with a maximum heat input capacity exceeding 250 million BTU per hour using oil. The facility shall perform emission testing on Unit 1 or 2 in order to ascertain compliance with this limit. Within 180 days of issuance of the Title V permit, the facility shall submit to the Department a test protocol of the methods and procedures to be used. After Department approval of the test protocol, the facility shall perform the test.

Upper Permit Limit: 0.10 pounds per million Btus  
Reference Test Method: Method 5  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 1-20: Compliance Certification**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Replaces Condition(s) 69**

**Item 1-20.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0003    Emission Point: 00003

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**Item 1-20.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 2/29/2004.

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

**Condition 70: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0003    Emission Point: 00003  
Process: D30                      Emission Source: SD003

Regulated Contaminant(s):

CAS No: 0NY075-00-0    PARTICULATES

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of 0.10 pounds per million BTU heat input from any stationary combustion installation with a maximum heat input capacity exceeding 250 million BTU per hour using oil. In accordance with 6NYCRR Part 202-1, the Department reserves the right to require the performance of emission testing



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in order to ascertain compliance with this limit. Within 30 days of receiving written notification from the Department that emission testing will be required, the facility shall submit to the Department a test protocol of the methods and procedures to be used. Within 30 days of Department approval of the test protocol, the facility shall perform the test.

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 71: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0003    Emission Point: 00003  
Process: D3C                Emission Source: SD003

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

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

To ensure compliance with the national ambient air quality standard for sulfur dioxide and in accordance with the Order on Consent (Number 9599-05), sulfur dioxide emissions, as measured by the CEMS, from Unit 3 when burning coal shall not exceed 1.1 pounds per million BTU. In addition, each delivery of coal must be sampled and analyzed for heating value (in BTU per pound) and sulfur content (in weight percent). If the heating value of the coal is less than 12,727 BTU per pound, then the sulfur content in the coal is limited to 0.7 percent by weight.

Manufacturer Name/Model Number: TECO/43B

Upper Permit Limit: 1.1 pounds per million Btus

Reference Test Method: Method 6C



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Monitoring Frequency: CONTINUOUS

Averaging Method: 24-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-21: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Replaces Condition(s) 72**

**Item 1-21.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0003 Emission Point: 00003

Process: D3C Emission Source: SD003

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 1-21.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In accordance with ESP manufacturer's specifications and pre-existing permits (Certificate to Operate February 27, 1987), the emission of particulates from Unit 3 shall not exceed 0.03 pounds per million BTU heat input when using coal. The facility shall perform emission testing in order to ascertain compliance with this limit.

Within 180 days of issuance of the Title V permit, the facility shall submit to the Department a test protocol of the methods and procedures to be used. The protocol and test must include the monitoring of the electrostatic precipitators and the recording of the following parameters during the test: the number of operational fields, primary and secondary voltage of each field, primary and secondary current of each field, and spark rate of each field. After Department approval of the test protocol, the facility shall perform the test.

Upper Permit Limit: 0.03 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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**Condition 1-22: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Replaces Condition(s) 73**

**Item 1-22.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0004 Emission Point: 00004

**Item 1-22.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 2/29/2004.

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

**Condition 74: Compliance Certification**

**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 74.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0004 Emission Point: 00004

Process: D40 Emission Source: SD004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 74.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of 0.10 pounds per million BTU heat input from any stationary combustion installation with a maximum heat input capacity exceeding 250 million BTU per hour using oil. In accordance with 6NYCRR Part 202-1, the Department reserves the right to require the performance of emission testing in order to ascertain compliance with this limit. Within 30 days of receiving written notification from the Department that emission testing will be required, the facility shall submit to the Department a test protocol of the methods and procedures to be used. Within 30 days of Department approval of the test protocol, the facility shall perform the test.

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 75: Compliance Certification**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0004    Emission Point: 00004  
Process: D4C                Emission Source: SD004

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

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

To ensure compliance with the national ambient air quality standard for sulfur dioxide and in accordance with the Order on Consent (Number 9599-05), sulfur dioxide emissions, as measured by the CEMS, from Unit 4 when



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burning coal shall not exceed 1.1 pounds per million BTU. In addition, each delivery of coal must be sampled and analyzed for heating value (in BTU per pound) and sulfur content (in weight percent). If the heating value of the coal is less than 12,727 BTU per pound, then the sulfur content is limited to 0.7 percent by weight.

Manufacturer Name/Model Number: TECO/43B  
Upper Permit Limit: 1.1 pounds per million Btus  
Reference Test Method: Method 6C  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 24-HOUR AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-23: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Replaces Condition(s) 76**

**Item 1-23.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0004    Emission Point: 00004  
Process: D4C                Emission Source: SD004

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

**Item 1-23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In accordance with ESP manufacturer's specifications and pre-existing permits (Certificate to Operate February 27, 1987), the emission of particulates from Unit 4 shall not exceed 0.03 pounds per million BTU heat input when using coal. The facility shall perform emission testing in order to ascertain compliance with this limit.

Within 180 days of issuance of the Title V permit, the facility shall submit to the Department a test protocol of the methods and procedures to be used. The protocol and test must include the monitoring of the electrostatic precipitators and the recording of the following parameters during the test: the number of operational fields, primary and secondary voltage of each field,



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primary and secondary current of each field, and spark rate of each field. After Department approval of the test protocol, the facility shall perform the test.

Upper Permit Limit: 0.03 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 1-24: Compliance Certification**

**Effective between the dates of 11/12/2003 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 212.4(c)**

**Item 1-24.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0007

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 1-24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emissions from both the coal crushing and coal storage emission sources is limited to 0.050 grains per cubic foot of exhaust gas expressed at standard conditions on a dry gas basis. To achieve this emission limit, a baghouse must be utilized for the air exhausts of each of these two emission sources whenever in operation. The facility shall perform emission testing to ascertain compliance. The testing shall be performed after a test protocol of the methods and procedures to be used has been submitted to and approved by the Department.

Upper Permit Limit: 0.05 grains per standard cubic foot

Reference Test Method: EPA Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 78: Compliance Certification**

**Effective between the dates of 11/29/2001 and 11/29/2006**



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**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0007

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 78.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any emission source or emission point in the coal handling and storage operation, except only the emission of uncombined water.

In order to demonstrate compliance with this limit, the facility shall comply with the following:

1. A Method 9 must be performed on an annual basis. The Method 9 opacity readings shall be taken for a minimum of 12 minutes and when coal is being unloaded onto the conveyor.
2. Water spray of the coal must be utilized whenever coal is unloaded onto the conveyor.

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 79: Compliance Certification**

**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 40CFR 60.252(c), NSPS Subpart Y**

**Item 79.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0007



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Process: C01

Emission Source: SDHND

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 79.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator shall not cause to be discharged into the atmosphere from the conveyor (for transporting coal from the marine vessels to the coal pile), emissions which exhibit 20 percent opacity or greater. Within 180 days after the Title V permit is issued, the facility shall perform a Method 9 opacity evaluation of the emissions from this conveyor when coal is being unloaded from a marine vessel. The results of the Method 9 evaluation shall be submitted to the US EPA and the Department.

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 80: Compliance Certification**

**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 80.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 80.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent



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or greater from any emission source or emission point in the fly ash and bottom ash handling and storage operation, except only the emission of uncombined water. The facility must perform a Method 9 opacity evaluation on an annual basis to demonstrate compliance with this limit. The Method 9 opacity readings shall be taken for a minimum of 12 minutes.

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable and are not subject to annual compliance certification requirements for Title V permits.**

**Condition 1-25: Contaminant List**

**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Item 1-25.1:**

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



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

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

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

**Condition 1-26: Unavoidable noncompliance and violations**  
**Effective between the dates of 11/12/2003 and 11/29/2006**

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

**Item 1-26.1:**

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

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

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

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



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

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

**Condition 83: Air pollution prohibited**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 83.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 84: Compliance Demonstration**  
**Effective between the dates of 11/29/2001 and 11/29/2006**

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

**Item 84.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 84.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following pertains to all continuous opacity monitoring systems at the facility.

1. Maintenance

Corrective maintenance activities shall be performed as needed. All corrective maintenance activities shall be documented on Corrective Action Sheets.

A preventative maintenance program shall be implemented and shall include the following activities:

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Daily: Each opacity monitor automatically performs a zero and span calibration check every 24 hours according to 40 CFR 60, PS1 specifications. Daily zero and span calibration data are reviewed. The maintenance technicians correct any problems identified at this time. If the problem cannot be corrected, the CEM maintenance consultant is contacted.

Weekly: Maintenance technicians review opacity calibration trending and six-minute opacity data trending. If a problem is suspected, the maintenance technicians take corrective action and if the problem is not, the CEM consultant is contacted.

Monthly: The CEM maintenance consultant cleans the lenses at each unit and performs any required maintenance.

Quarterly: The CEM maintenance consultant performs opacity audits according to 40 CFR 60, PS1. During the audit, the monitor alignment is checked and adjusted, if required, and the lenses are cleaned. Opacity reports are generated from the CEM systems and submitted to NYSDEC Region 3 and Central Office.

Annually: The CEM maintenance consultant performs an opacity monitor response time test in accordance with 40 CFR 60, PS1.

## 2. Quality Assurance

The facility shall implement a quality assurance program consisting of quarterly data reviews and bi-annual program audits. Quarterly data reviews shall be resumed during which the opacity data collected during the quarter shall be examined to assure that exceedance events are properly documented with an Opacity Incident Report (OIR) and required notifications have been made. Program audits consisting of a thorough review of the opacity monitoring program shall be conducted by June 30 and December 31 of each year. The audits shall be verified by both daily zero and span checks and annual calibration error assessments. They shall also review the documentation to assure that all records are complete, and proper documentation is maintained of all OIRs, and monitor maintenance.

Monitoring Frequency: AS REQUIRED - SEE MONITORING

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DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY