



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 3-3346-00011/00017  
Effective Date: 09/08/2008 Expiration Date: 09/07/2013

Permit Type: Title IV (Phase II Acid Rain)  
Permit ID: 3-3346-00011/00027  
Effective Date: 09/08/2008 Expiration Date: 09/07/2013

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

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

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

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

Description:  
Title V renewal.

This renewal includes conditions recently promulgated under Regulations 6 NYCRR Parts 243, 244, and 245. These regulations require facilities to obtain/possess at least as many 'allocations' of Sulfur Dioxide (SO<sub>2</sub>) and Oxides of Nitrogen (NO<sub>x</sub>) as they emit into the atmosphere during a specified period of time. An 'allocation' is a unit of pollution which is limited by a budget established in the regulations. The Department developed these regulations in response to the United States Environmental Protection Agency's (EPA's) recent "Clean Air Interstate Rule" (CAIR). The regulations are included in New York's 'State Implementation Plan' (SIP) which has been approved by EPA as required by the Clean Air Act of 1990.



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:           KENNETH R GRZYB  
  NYSDEC REGION 3  
  21 S PUTT CORNERS RD  
  NEW PALTZ, NY 12561

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 compliance 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 any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



## **LIST OF CONDITIONS**

### **DEC GENERAL CONDITIONS**

#### **General Provisions**

Facility Inspection by the Department  
Relationship of this Permit to Other Department Orders and  
Determinations  
Applications for permit renewals, modifications and transfers  
Permit modifications, suspensions or revocations by the Department

#### **Facility Level**

Submission of application for permit modification or renewal-REGION 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 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301.2(m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**



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

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.6(a)**

**Item 5.1:**

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

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

New York State Department of Environmental Conservation

Permit ID: 3-3346-00011/00017

Facility DEC ID: 3334600011



**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

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

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

Permit Effective Date: 09/08/2008

Permit Expiration Date: 09/07/2013



## LIST OF CONDITIONS

### DEC GENERAL CONDITIONS

#### General Provisions

Facility Inspection by the Department  
Relationship of this Permit to Other Department Orders and Determinations  
Applications for permit renewals, modifications and transfers  
Permit modifications, suspensions or revocations by the Department

#### Facility Level

Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 200.7: Compliance Certification
- 24 6NYCRR 200.7: Compliance Certification
- 25 6NYCRR 201-6: Emission Unit Definition
- 26 6NYCRR 225-1.2(a)(2): Compliance Certification
- 27 6NYCRR 225-1.8(a): Compliance Certification
- 28 6NYCRR 227-1.2(a)(1): Compliance Certification
- 29 6NYCRR 227-1.3(a): Compliance Certification
- 30 6NYCRR 227-1.4(b): Compliance Certification
- 31 6NYCRR 227-2.5(b): Compliance Certification
- 32 6NYCRR 227-2.6(b)(3)(i): Compliance Certification
- 33 6NYCRR 227-2.6(b)(4)(iv): Compliance Certification
- 34 6NYCRR 243-1.6(a): Permit Requirements



- 35 6NYCRR 243-1.6(b): Monitoring requirements
- 36 6NYCRR 243-1.6(c): NOx Ozone Season Emission Requirements
- 37 6NYCRR 243-1.6(d): Excess emission requirements
- 38 6NYCRR 243-1.6(e): Recordkeeping and reporting requirements
- 39 6NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
- 40 6NYCRR 243-2.4: Certificate of representation
- 41 6NYCRR 243-8.1: General requirements
- 42 6NYCRR 243-8.1: Prohibitions
- 43 6NYCRR 243-8.5(d): Quarterly reports
- 44 6NYCRR 243-8.5(e): Compliance certification
- 45 6NYCRR 244-1: CAIR NOx Annual Trading Program General Conditions
- 46 6NYCRR 244-2: Designated CAIR Representative
- 47 6NYCRR 244-8: Compliance Certification
- 48 6NYCRR 245-1: CAIR SO2 Trading Program General Provisions
- 49 6NYCRR 245-2: Designated CAIR Representative
- 50 6NYCRR 245-8: Compliance Certification
- 51 40CFR 72.9, Subpart A: Compliance Certification
- 52 40CFR 75.10(a), Subpart B: Compliance Certification
- 53 40CFR 75.10(b), Subpart B: Compliance Certification
- 54 40CFR 75.10(c), Subpart B: Compliance Certification
- 55 40CFR 75.10(d), Subpart B: Compliance Certification
- 56 40CFR 75.13(a), Subpart B: Compliance Certification
- 57 40CFR 75.20, Subpart C: Compliance Certification
- 58 40CFR 75.64(a), Subpart G: Compliance Certification

**Emission Unit Level**

- 59 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 60 6NYCRR 201-6: Process Definition By Emission Unit

**EU=U-D0003,EP=00003,Proc=D30,ES=SD003**

- 61 6NYCRR 227-1.2(a)(1): Compliance Certification

**EU=U-D0003,EP=00003,Proc=D3C,ES=SD003**

- 62 6NYCRR 200.6: Compliance Certification

**EU=U-D0004,EP=00004,Proc=D4C,ES=SD004**

- 63 6NYCRR 200.6: Compliance Certification

**EU=U-D0007**

- 64 6NYCRR 212.4(c): Compliance Certification
- 65 6NYCRR 212.6(a): Compliance Certification

**EU=U-D0007,Proc=C01,ES=SDHND**

- 66 40CFR 60.252(c), NSPS Subpart Y: Compliance Certification

**EU=U-D0008**

- 67 6NYCRR 212.6(a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 68 ECL 19-0301: Contaminant List
- 69 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 70 6NYCRR 211.2: Air pollution prohibited



- 71 6NYCRR 227-1.4(a): Compliance Demonstration
- 72 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 73 6NYCRR 237-2: Authorization and responsibilities of the NOx  
authorized account representative to be included in existing permits.
- 74 6NYCRR 237-4.1: Compliance Demonstration
- 75 6NYCRR 237-7.1: Submission of NOx allowance transfers
- 76 6NYCRR 237-8: Compliance Demonstration
- 77 6NYCRR 238-1.6(e): Record keeping and Reporting Requirements
- 78 6NYCRR 238-2.1: Submissions to the Department
- 79 6NYCRR 238-4.1: Compliance Demonstration
- 80 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 81 6NYCRR 238-8: Monitoring and Reporting requirements
- 82 6NYCRR 246.3(b)(1): Compliance Demonstration
- 83 6NYCRR 246.5(b): Compliance Demonstration
- 84 6NYCRR 246.6(b): Compliance Demonstration
- 85 6NYCRR 246.7(b)(1): Compliance Demonstration
- 86 6NYCRR 246.8(c)(1): Certification Procedures for Sorbent Trap  
Monitoring Systems
- 87 6NYCRR 246.8(c)(1): Compliance Demonstration
- 88 6NYCRR 246.11(b): Compliance Demonstration
- 89 6NYCRR 246.11(d): Compliance Demonstration
- 90 6NYCRR 246.11(e): Compliance Demonstration



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

(1) An emergency occurred and that the facility owner and/or

operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the Department

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

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

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

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

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



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**  
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**  
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 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 H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**  
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**



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

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

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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the



effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

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

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

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





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

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

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

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 4.1:**

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

**Condition 5: Compliance Certification**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit



requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

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

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

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

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

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

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



also be identified in the 6 month monitoring report required above.

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of 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 1/30/2009.

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

**Condition 6: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 6.1:**



The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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



for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

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

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2009.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 8.1:**





**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 13.1:**

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

**Condition 14: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 14.1:**

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

**Condition 15: Standard Requirement - Provide Information**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records



required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 16.1:**

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

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as



defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 19.1:**

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

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 20.1:**

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

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:40CFR 68**

**Item 21.1:**

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



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

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

**Condition 22: Recycling and Emissions Reduction**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 22.1:**

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

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

**Condition 23: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 23.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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;
  - 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 Fields	2	2	6 to 8	
Voltage	400 max	400 max	480 max	480 max



(kV )

Primary  
Current 0-120 max 0-120 max 0-100 max 0-100  
max  
(amps)

Secondary  
Voltage >0-45 max >0-45 max >0-55 max >0-55  
max  
(kV)

Secondary  
Current 750 max 750 max 850 max 650  
max  
(mA)

Spark variable variable variable  
variable  
Rate

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 24: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 24.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**  
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





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 25.4:**

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

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 25.5:**

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.

Building(s): D3/D4

**Item 25.6:**

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 26: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 26.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Reference Test Method: EPA Approved

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

**Condition 27: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 28: Compliance Certification**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 28.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-D0001

Emission Unit: U-D0002

Emission Unit: U-D0003

Emission Unit: U-D0004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 28.2:**

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 Renewal, 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 29: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 29.1:**

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

Emission Unit: U-D0001	Emission Point: 00001
Emission Unit: U-D0002	Emission Point: 00002
Emission Unit: U-D0003	Emission Point: 00003
Emission Unit: U-D0004	Emission Point: 00004

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

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).

Manufacturer Name/Model Number: CEM

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Approved

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 30: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 30.2:**

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 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 31: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**



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

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 31.2:**

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 "NOx 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 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 10/30/2008.

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

**Condition 32: Compliance Certification**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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

(a) calculate all 24-hour daily arithmetic average NO<sub>x</sub> emission rates from block hourly arithmetic emission rate averages calculated using data points generated by the CEMS and expressed in terms of pounds of NO<sub>x</sub> per million BTU;

(b) demonstrate compliance with the appropriate emission limit by using CEMS for measuring NO<sub>x</sub> and calculating a 24-hour daily arithmetic average NO<sub>x</sub> emission rate using 40 CFR 60, Appendix A, Method 19. A 30 day rolling 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 33: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 33.2:**

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 burned daily, heat content of the fuel, total heating value of the fuel consumed daily, the actual NOx emission rate, the allowable NOx 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 a format acceptable to the Department, and include at a minimum:

- (a) the average NOx emission rate;
- (b) identification of the operating days where NOx 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 NOx 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 34: Permit Requirements**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-1.6(a)**

**Item 34.1:**

The CAIR designated representative of each CAIR NOx Ozone Season source shall:

- (i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
- (ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

The owners and operators of each CAIR NOx Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.





Season source's compliance account is incorporated automatically in any CAIR permit of the source.

**Condition 37: Excess emission requirements**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-1.6(d)**

**Item 37.1:**

If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

(1) the owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

(2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

**Condition 38: Recordkeeping and reporting requirements**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-1.6(e)**

**Item 38.1:**

Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.



**Condition 39: Authorization and responsibilities of CAIR designated representative**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-2.1**

**Item 39.1:**

Except as provided under section 243-2.2, each CAIR NO<sub>x</sub> Ozone Season source, including all CAIR NO<sub>x</sub> Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NO<sub>x</sub> Ozone Season Trading Program concerning the source or any CAIR NO<sub>x</sub> Ozone Season unit at the source.

The CAIR designated representative of the CAIR NO<sub>x</sub> Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NO<sub>x</sub> Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NO<sub>x</sub> Ozone Season source represented and each CAIR NO<sub>x</sub> Ozone Season unit at the source in all matters pertaining to the CAIR NO<sub>x</sub> Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

No CAIR permit will be issued, no emissions data reports will be accepted, and no CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System account will be established for a CAIR NO<sub>x</sub> Ozone Season unit at a source, until the Administrator has received a complete certificate of representation under section 243-2.4 for a CAIR designated representative of the source and the CAIR NO<sub>x</sub> Ozone Season units at the source.

Each submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO<sub>x</sub> Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 40: Certificate of representation**  
**Effective between the dates of 09/08/2008 and 09/07/2013**



**Applicable Federal Requirement:6NYCRR 243-2.4**

**Item 40.1:**

Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

**Condition 41: General requirements**

**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-8.1**

**Item 41.1:**

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season unit, shall comply with the monitoring, recordkeeping, 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 243-1.2 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 deemed to refer to the terms "CAIR NO<sub>x</sub> Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NO<sub>x</sub> Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NO<sub>x</sub> Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NO<sub>x</sub> Ozone Season unit shall:

- (1) install all monitoring systems required under this Subpart for monitoring NO<sub>x</sub> mass emissions and individual unit heat input (including all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph (a)(1) of this section; and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 42: Prohibitions**

**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-8.1**

**Item 42.1:**

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall use any alternative





(ii) for a unit that commences commercial operation on or after July 1, 2007, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 243-8.1(b), unless that quarter is the third or fourth quarter of 2007 or the first quarter of 2008, in which case reporting shall commence in the quarter covering May 1, 2008 through June 30, 2008.

The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

For CAIR NO<sub>x</sub> Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

**Condition 44: Compliance certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 243-8.5(e)**

**Item 44.1:**

The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications;

(2) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions; and

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO<sub>x</sub> emission rate and NO<sub>x</sub> concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO<sub>x</sub> emissions.

**Condition 45: CAIR NO<sub>x</sub> Annual Trading Program General Conditions**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 244-1**

**Item 45.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is





operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source.

[244-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

**Condition 47: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement: 6NYCRR 244-8**

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

(1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).

(2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic



quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

(3) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

(4) For CAIR NO<sub>x</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Ozone Season Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions.

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures





which the CAIR SO<sub>2</sub> allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO<sub>2</sub> unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.

**Condition 49: Designated CAIR Representative**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 245-2**

**Item 49.1:**

1) Each CAIR SO<sub>2</sub> source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO<sub>2</sub> Trading Program. The CAIR designated representative of the CAIR SO<sub>2</sub> source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO<sub>2</sub> units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of



the CAIR SO<sub>2</sub> source represented and each CAIR SO<sub>2</sub> unit at the source in all matters pertaining to the CAIR SO<sub>2</sub> Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO<sub>2</sub> Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO<sub>2</sub> source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [245-2.1(e)]

**Condition 50: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement: 6NYCRR 245-8**

**Item 50.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO<sub>2</sub> emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO<sub>2</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 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 deemed to refer to the terms "CAIR SO<sub>2</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is



not a CAIR SO<sub>2</sub> unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO<sub>2</sub> unit. [245-8.1]

2) The owner or operator of each CAIR SO<sub>2</sub> unit shall:  
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO<sub>2</sub> mass emissions and individual unit heat input (including all systems required to monitor SO<sub>2</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and

(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.  
[245-8.1(b)]

(i) For the CAIR SO<sub>2</sub> unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO<sub>2</sub> unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO<sub>2</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is



potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

5) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D of or appendix D to 40 CFR Part 75. [245-8.3(a)]

6) The CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 245-8.3, the applicable recordkeeping and reporting requirements in Subparts F and G of 40 CFR Part 75, and the requirements of section 245-2.1(e)(1). [245-8.5(a)]

7) The owner or operator of a CAIR SO<sub>2</sub> unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

8) The CAIR designated representative shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 245-8.2, including the information required under 40 CFR 75.63. [245-8.5(c)]

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

- i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or
- ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.





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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 52: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 52.2:**

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 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 10/30/2008.

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

**Condition 53: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 53.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 53.2:**

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 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 54: Compliance Certification**



Effective between the dates of 09/08/2008 and 09/07/2013

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

**Item 54.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 54.2:**

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 10/30/2008.

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

**Condition 55: Compliance Certification**

Effective between the dates of 09/08/2008 and 09/07/2013

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

**Item 55.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 55.2:**

Compliance Certification shall include the following monitoring:

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 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 NO<sub>x</sub> 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 NO<sub>x</sub> 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 10/30/2008.

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

**Condition 56: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 56.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 56.2:**

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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 57: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 57.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 57.2:**

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 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 58: Compliance Certification**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 58.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 58.2:**

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 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

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

**Condition 59: Emission Point Definition By Emission Unit  
Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 59.1:**

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.): 4602.946

NYTME (km.): 586.327

Building: D1

**Item 59.2:**



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.): 4602.926 NYTME (km.): 586.318 Building: D2

**Item 59.3:**

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

NYTMN (km.): 4602.907 NYTME (km.): 586.308 Building: D3/D4

**Item 59.4:**

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.): 4602.885 NYTME (km.): 586.295 Building: D3/D4

**Item 59.5:**

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

NYTMN (km.): 4602.785 NYTME (km.): 586.219

Emission Point: 1007B

Height (ft.): 20

Diameter (in.): 22

NYTMN (km.): 4602.798 NYTME (km.): 586.206

**Item 59.6:**

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

NYTMN (km.): 4602.982 NYTME (km.): 586.253

Emission Point: 02008

Height (ft.): 60

Diameter (in.): 14

NYTMN (km.): 4602.945 NYTME (km.): 586.237

Emission Point: 02009



Height (ft.): 8 Diameter (in.): 6  
NYTMN (km.): 4602.918 NYTME (km.): 586.222

Emission Point: 02010  
Height (ft.): 8 Diameter (in.): 6  
NYTMN (km.): 4602.88 NYTME (km.): 586.197

**Condition 60: Process Definition By Emission Unit**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 60.1:**

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 60.2:**

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 60.3:**

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.

Emission Source/Control: SD002 - Combustion

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

**Item 60.4:**

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 60.5:**

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 60.6:**

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



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 60.7:**

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 60.8:**

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 60.9:**

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 60.10:**

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 60.11:**

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.

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 60.12:**

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 60.13:**

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 60.14:**

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

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 60.15:**

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





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 PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 62: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 200.6**

**Item 62.1:**

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 62.2:**

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

Monitoring Frequency: CONTINUOUS

Averaging Method: 24-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



Reports due 30 days after the reporting period.  
The initial report is due 1/30/2009.  
Subsequent reports are due every 6 calendar month(s).

**Condition 63: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable Federal Requirement:6NYCRR 200.6**

**Item 63.1:**

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 63.2:**

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 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: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

**Condition 64: Compliance Certification**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0007





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 PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 66: Compliance Certification**

**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0007

Process: C01

Emission Source: SDHND

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:

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 PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 67: Compliance Certification**



Effective between the dates of 09/08/2008 and 09/07/2013

Applicable Federal Requirement: 6NYCRR 212.6(a)

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-D0008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 67.2:**

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 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: ONCE / BATCH OR MONITORING OCCURRENCE



**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 68: Contaminant List**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 68.1:**

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

CAS No: 007439-97-6

Name: MERCURY

CAS No: 007446-09-5



Name: SULFUR DIOXIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 69: Unavoidable noncompliance and violations  
Effective between the dates of 09/08/2008 and 09/07/2013**

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

Item 69.1:

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

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

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

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

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which



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

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

**Condition 70: Air pollution prohibited**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 211.2**

**Item 70.1:**

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 71: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

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

**Item 71.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 71.2:**

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:

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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 04/06/2009 for the period 09/08/2008 through 03/07/2009

**Condition 72: Recordkeeping and Reporting Requirements  
Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement: 6NYCRR 237-1.6(e)**





representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

Each submission under the ADR NOx Budget Trading Program shall be submitted, signed, and certified by the NOx authorized account representative for each NOx budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NOx authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 74: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 237-4.1**

**Item 74.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 74.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx budget units at a source are subject to the NOx budget emissions limitation, the NOx authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, 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;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial



numbers of the NO<sub>x</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;

(3) at the NO<sub>x</sub> authorized account representative's option, for units sharing a common stack and having NO<sub>x</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO<sub>x</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> 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 ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) 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 NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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 NYCRR 237-8. 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 have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 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 NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) 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.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 75: Submission of NOx allowance transfers**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 237-7.1**

**Item 75.1:**

The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the department or its agent:

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

**Condition 76: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 237-8**

**Item 76.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 76.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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 NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75



shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 77: Record keeping and Reporting Requirements  
Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 238-1.6(e)**

**Item 77.1:**

Unless otherwise provided, the owners and operators of the SO2 budget source and each SO2 budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO2 authorized account representative for the source and each SO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO2 authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

**Condition 78: Submissions to the Department**



**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 238-2.1**

**Item 78.1:**

Each submission under the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO<sub>2</sub> authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO<sub>2</sub> budget sources or SO<sub>2</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 79: Compliance Demonstration**

**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 238-4.1**

**Item 79.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 79.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO<sub>2</sub> authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO<sub>2</sub> budget emissions limitation for the control period covered by the report:

(1) identification of each SO<sub>2</sub> budget unit;



(2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> 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 ADR SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO<sub>2</sub> budget emissions limitation;

(b) 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 SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> 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 238-8. 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 have been made;



(d) whether the facts that form the basis for certification under Subpart 238-8 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 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 80: Submission of SO<sub>2</sub> allowance transfers**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 238-7.1**

Item 80.1:

The SO<sub>2</sub> authorized account representatives seeking recordation of an SO<sub>2</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO<sub>2</sub> allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO<sub>2</sub> allowance to be transferred; and
- (c) the printed name and signature of the SO<sub>2</sub> authorized account representative of the transferor account and the date signed.

**Condition 81: Monitoring and Reporting requirements**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 238-8**

**Item 81.1:** The owners and operators, and to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized



account representative," respectively, as defined in NYCRR 238-1.2.

**Condition 82: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement: 6 NYCRR 246.3(b)(1)**

**Item 82.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 82.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator of a Mercury Reduction Program (MRP) facility shall perform an emission test using a Reference Method for speciated mercury compounds and meet the requirements in subparagraphs (i), (ii), (iii) and (iv) below:

(i) Submit to the department at least 30 days prior to the emission test a test protocol to be approved by the department detailing the Reference Method to be performed and all other required information contained in Subpart 202-1 of this Chapter.

(ii) Test the concentrations of the speciated mercury compounds in the stack (outlet).

(iii) Emission tests shall be conducted as follows:  
(a) One test shall be performed prior to August 1, 2008,

(b) A second test shall be performed prior to July 1, 2009. The source testing requirements contained in 246.8 satisfy this requirement.

(c) A final report containing the results of each emission test shall be submitted to the department in a form acceptable within 60 days after completion of each emission test.

(iv) Fuel sampling. During each emission test, sampling of the mercury and chlorine content of the coal or solid coal-derived fuel shall be performed as outlined in the approved test protocol and the results of the fuel sampling shall be included in the final report submitted to the department



Reference Test Method: ASTM D6784-02

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 83: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.5(b)**

**Item 83.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 83.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility-wide emission limit below is from Table 1 of 6NYCRR Part 246.5(a) and represents the allowable mercury emissions for each Mercury Reduction Program (MRP) facility for the control periods in 2010 through 2014.

The sum of mass mercury emissions (in pounds) from each applicable existing MRP unit at a MRP facility identified in Table 1 shall not exceed the facility-wide mercury emission limitation (in pounds per year) set forth in Table 1.

Upper Permit Limit: 72.0 pounds

Monitoring Frequency: CONTINUOUS

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 84: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.6(b)**

**Item 84.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY



**Item 84.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Effective January 1, 2015, each existing MRP facility shall not exceed the emission limit of 0.6 pounds mercury per trillion Btu (0.6 lb Hg/TBtu).

Upper Permit Limit: 0.6 pounds per trillion British thermal units

Monitoring Frequency: CONTINUOUS

Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 85: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement: 6NYCRR 246.7(b)(1)**

**Item 85.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 85.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a Mercury Reduction Program (MRP) unit that commences commercial operation before July 1, 2008, shall by January 1, 2009;

(1) Install all monitoring systems required under sections 246.7 through 246.13 of this Part for monitoring mercury mass emissions and individual unit heat input (including all systems required to monitor mercury concentration, stack gas moisture content, stack gas flow rate, and CO<sub>2</sub> or O<sub>2</sub> concentration, as applicable) in accordance with 40 CFR 75.81, 40 CFR 75.82, and 40 CFR 60 Appendix B - Performance Specification 12A;

(2) Successfully complete all certification tests required under section 246.8 of this Part and meet all other requirements of sections 246.7 through 246.13 of this Part, and of 40 CFR 75 Subpart I of applicable to the monitoring systems under paragraph (a)(1) of this section; and



(3) Record and report the data from the monitoring systems under paragraph (a)(1) of this section in accordance with 40 CFR 75.84; in absence of the US EPA Administrator accepting data and maintaining an emission data reporting system for mercury emissions, the data required by 75.84(d)(2) shall be submitted to the Department in a format agreed to by the Department.

(4) Quality assure the data from the monitoring systems under paragraph (a)(1) of this section in accordance with 40 CFR 75.80(e).

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 86: Certification Procedures for Sorbent Trap Monitoring Systems**

**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.8(c)(1)**

**Item 86.1:**

The owner or operator of a Mercury Reduction Program (MRP) unit shall comply with the following initial certification for sorbent trap monitoring system under 40 CFR 75.15.

Requirements for initial certification. The owner or operator shall ensure that each sorbent trap monitoring system under paragraph 246.7(a)(1) (including the automated data acquisition and handling system) successfully completes all of the initial certification testing required under 40 CFR 75.20 by the applicable deadline in subdivision 246.7(b). In addition, whenever the owner or operator installs a monitoring system to meet the requirements of this section in a location where no such monitoring system was previously installed, initial certification in accordance with 40 CFR 75.20 is required.

**Condition 87: Compliance Demonstration**

**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.8(c)(1)**

**Item 87.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6 MERCURY



**Item 87.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a Mercury Reduction Program (MRP) unit shall comply with the following initial certification procedures for a continuous monitoring system.

Requirements for initial certification. The owner or operator shall ensure that each continuous monitoring system under paragraph 246.7(a)(1) (including the automated data acquisition and handling system) successfully completes all of the initial certification testing required under 40 CFR 75.20 by the applicable deadline in subdivision 246.7(b). In addition, whenever the owner or operator installs a monitoring system to meet the requirements of this section in a location where no such monitoring system was previously installed, initial certification in accordance with 40 CFR 75.20 is required.

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, all certification applications for mercury CEMs should be sent to the Department and approvals granted under 40 CFR 75.20 for mercury CEMs shall be administered through the Department.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 88: Compliance Demonstration**

**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.11(b)**

**Item 88.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 88.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of a Mercury Reduction Program (MRP) facility shall comply with all reporting requirements in



6NYCRR Part 246.11 and the applicable reporting requirements of 40 CFR 75.84(d) through (f)

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, electronic submittal of data is not required until an electronic system is created and maintained by the US EPA. Hourly mercury mass emission data and heat input data generated by CEM units and would have been submitted to the USEPA electronically shall be kept on site until the US EPA Administrator has a method to accept this data.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 89: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.11(d)**

**Item 89.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 89.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of a Mercury Reduction Program (MRP) facility that commences commercial operation before July 1, 2008 shall submit quarterly reports, as follows:

(1) Report the mercury mass emissions data and heat input data for the MRP unit in a hard copy format prescribed by the for each calendar quarter beginning with January 1, 2009 through March 31, 2009.

(2) Submit each quarterly report to the Department within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.84(f).



(3) For MRP units that are also subject to an Acid Rain emissions limitation, quarterly reports shall include the applicable data and information required by 40 CFR 75 Subparts F through H as applicable, in addition to the mercury mass emission data, heat input data, and other information required by sections 246.7 through 246.13 of this Part.

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, electronic submittal of quarterly data is not required until an electronic system is created and maintained by the US EPA.. Hourly mercury mass emission data and heat input data generated by CEM units and would have been submitted to the USEPA electronically shall be kept on site until the US EPA Administrator has a method to accept this data.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

**Condition 90: Compliance Demonstration**  
**Effective between the dates of 09/08/2008 and 09/07/2013**

**Applicable State Requirement:6NYCRR 246.11(e)**

**Item 90.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 90.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners or operators of a Mercury Reduction Program (MRP) facility shall submit to the Department, a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in



accordance with the applicable requirements of sections 246.7 through 246.13 of 6NYCRR Part 246, and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(2) In absence of a revised missing data substitution plan by the Department, data are substituted in accordance with 40 CFR 75.34(a)(1) for all hours where mercury data are substituted for a unit with add-on mercury emission controls.

(i) (a) The mercury add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under 40 CFR 75 Appendix B; or

(b) With regard to a flue gas desulfurization system or a selective catalytic reduction system, quality-assured SO<sub>2</sub> emission data recorded in accordance with 40 CFR Part 75 document that the flue gas desulfurization system was operating properly, or quality-assured NO<sub>x</sub> emission data recorded in accordance with 40 CFR Part 75 document that the selective catalytic reduction system, was operating properly, as applicable, and

(ii) The substitute data values do not systematically underestimate mercury emissions.

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, electronic submittal of quarterly data is not required until an electronic system is created and maintained by the US EPA.. Hourly mercury mass emission data and heat input data generated by CEM units and would have been submitted to the USEPA electronically shall be kept on site until the US EPA Administrator has a method to accept this data.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

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

New York State Department of Environmental Conservation

Permit ID: 3-3346-00011/00017

Facility DEC ID: 3334600011

