

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 3392200003**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 3-3922-00003/00008  
Effective Date: 10/31/2000 Expiration Date: 08/17/2005

Permit Issued To: SOUTHERN ENERGY NEW YORK  
400 RELLA BOULEVARD  
SUITE 157  
SUFFERN, NY 10901

Contact: LOUIS F. FRISCOE  
400 RELLA BOULEVARD  
SUITE 157  
SUFFERN, NY 10901  
(914) 357-5266

Facility: BOWLINE POINT GENERATING STATION  
SAMSONDALE AVE  
WEST HAVERSTRAW, NY 10993

Contact: VINCENT DEVITA  
140 SAMSONDALE AVENUE  
WEST HAVERSTRAW, NY 10993  
(914) 786-8070

**Description:**

The Bowline Point Generating Station consists of the following non-exempt sources of air emissions: a 5,546 mmBTU/hr tangentially-fired boiler (Boiler No. 1), a 5,374 mmBTU/hr opposed wall-fired boiler (Boiler No. 2) and a 136 mmBTU/hr boiler (Auxiliary Boiler). Boilers No. 1 and No. 2 each fire natural gas or No. 6 fuel (combined with limited quantities of on-site generated waste oil). Both boilers generate steam for electric production. The Auxiliary Boiler fires natural gas and is used during start-up of the power generation boilers as well as provides heat and steam to the on-site tank farm. The Standard Industrial Classification Code representative of this facility is 4911-Electric Services.

The Bowline Point Generating Station is subject to the following requirements

- Acid Rain Program under Title IV of the Clean Air Act (boilers No. 1 and No.2).
- NOx Reasonably Available Control technology (RACT) requirements under 6 NYCRR 227-2.
- NOx system wide averaging (6 NYCRR 227-2 for boilers No. 1 and No. 2).
- NOx Emission Budget and Allowance Program (6 NYCRR 227-3 for boilers No. 1 and No. 2).
- Sulfur in fuel limitations (6 NYCRR Part 225-1).
- Particulate emission limits firing liquid fuel (6 NYCRR 227-1 for boilers No. 1 and No. 2)
- Quarterly exceeds emission reporting (6 NYCRR 227-1.4(b)).
- Stack testing to determine NOx emissions (6 NYCRR 227-2.6(a)(3) for the auxilliary boiler)



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The Bowline Point Generating Station is located in the Village of West Haverstraw, Rockland County, New York. The facilities potential air emissions for particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides and combination of hazardous air pollutants exceed the major source pollutant thresholds listed in 6 NYCRR Subpart 201-6. Therefore, the facility is subject to the provisions of Title V.

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

Permit Administrator:      ROBERT J. STANTON  
   21 SOUTH PUTT CORNERS ROAD  
   NEW PALTZ, NY 12561-1696

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



**Notification of Other 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, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal-REGION 3

HEADQUARTERS



**DEC GENERAL CONDITIONS**

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Item 2.1:**

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

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

**Item 3.1:**

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

**Item 3.2:**

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

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

**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for

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modification, suspension or revocation include:

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

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

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054



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

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

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(914) 786-8070

Authorized Activity By Standard Industrial



**LIST OF CONDITIONS**

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83 Contaminant List

84 Air pollution prohibited

Classification Code:

4911 - ELECTRIC SERVICES

Permit Effective Date: 10/31/2000

Permit Expiration Date: 08/17/2005



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**FEDERALLY ENFORCEABLE CONDITIONS**

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

**Condition 1: Sealing**

**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 200.5**

**Item 1.1:**

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

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

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

**Condition 2: Acceptable ambient air quality**

**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 2.1:**

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

**Condition 3: Maintenance of equipment**

**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 3.1:**

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



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**Condition 4: Unpermitted Emission Sources**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 4.1:**

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

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Condition 5: Unavoidable Noncompliance and Violations**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 5.1:**

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

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit or certificate issued for the corresponding air contamination source. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.
- (b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.



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(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.

**Condition 6: Emergency Defense**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 6.1:**

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

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

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

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

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

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

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

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

**Condition 7: Recycling and Salvage**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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



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**Item 7.1:**

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

**Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 8.1:**

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

**Condition 9: Public Access to Recordkeeping for Title V facilities**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 9.1:**

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.

**Condition 10: Proof of Eligibility**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 10.1:**

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

**Condition 11: Proof of Eligibility**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 11.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part



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

**Condition 12: Applicable Criteria, Limits, Terms, Conditions and Standards**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 12.1:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in the permit. This shall include:

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

**Item 12.2:**

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**Condition 13: Cessation or Reduction of Permitted Activity Not a Defense**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 13.1:**

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.

**Condition 14: Compliance Requirements**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

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**Item 14.1:**

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

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

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

**Item 14.2:**

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

**Item 14.3:**

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

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

**Condition 15: Federally-Enforceable Requirements  
Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 15.1:**

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



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only state regulations.

**Condition 16: Fees**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 16.1:**

The permittee shall pay the required fees associated with this permit.

**Condition 17: Monitoring, Related Recordkeeping and Reporting Requirements**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 17.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, 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 18: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 18.1:**

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 relieve the permittee from the requirement to comply with any condition contained in this permit.

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

**Condition 19: Permit Shield**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

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**Item 19.1:**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, 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.

**Condition 20: Property Rights**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 20.1:**

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

**Condition 21: Reopening for Cause**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 21.1:**

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.



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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.

**Item 21.2:**

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.

**Item 21.3:**

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.

**Condition 22: Right to Inspect**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 22.1:**

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

i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

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

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

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

**Condition 23: Severability**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 23.1:**



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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.

**Condition 24: Emission Unit Definition**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 24.1:**

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

Emission Unit: 1-00001

Emission Unit Description:

BOILER NO. 1 - A COMBUSTION ENGINEERING TANGENTIALLY-FIRED BOILER WITH A MAXIMUM HEAT INPUT OF 5546 MMBTU/HR. THIS UNIT CAN FIRE NATURAL GAS OR NO. 6 FUEL OIL (0.37% MAXIMUM SULFUR CONTENT). THIS EMISSION UNIT ALONG WITH BOILER NO. 2 EMPLOYS SYSTEM-WIDE AVERAGING FOR THE DETERMINATION AND REPORTING OF NO<sub>x</sub> EMISSIONS. PROPANE IS USED AS A START-UP FUEL.

Building(s): BLD01

**Item 24.2:**

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

Emission Unit: 1-00002

Emission Unit Description:

BOILER NO. 2 - A BABCOCK & WILCOX OPPOSED WALL-FIRED BOILER WITH A MAXIMUM HEAT INPUT OF 5,374 MMBTU/HR. THIS UNIT CAN FIRE NATURAL GAS OR NO. 6 FUEL OIL (0.37% MAX SULFUR CONTENT). THIS EMISSION UNIT ALONG WITH BOILER NO. 1 EMPLOYS SYSTEM-WIDE AVERAGING FOR THE DETERMINATION AND REPORTING OF NO<sub>x</sub> EMISSIONS. PROPANE IS USED AS A START-UP FUEL.

Building(s): BLD01

**Item 24.3:**

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

Emission Unit: 1-00004

Emission Unit Description:

AUXILIARY BOILER - A BABCOCK & WILCOX FM 106-79B 275 PSIG BOILER USED DURING START-UP OF THE POWER GENERATION BOILERS



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AND PROVIDES HEAT AND STEAM TO THE ON-SITE  
TANK FARM. NATURAL GAS IS USED AS FUEL.

Building(s): BLD01

**Item 24.4:**

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

Emission Unit: 1-WAWTP

Emission Unit Description:

WASTEWATER TREATMENT PLANT OPERATES TO TREAT RUNOFF FROM PLANT DRAINS. THE PLANT USES ACID AND CAUSTIC TO MODIFY THE PH OF THE WATER AND FERROUS SULFATE TO PRECIPITATE SOLIDS INCLUDING METALS. CLEAN WATER IS DISCHARGED TO THE HUDSON RIVER. OPERATIONS ARE MONITORED THROUGH CONDITIONS WITHIN THE EXISTING SPDES PERMIT NO. 3-3922-3-3. FUGITIVE EMISSIONS WERE DETERMINED FOR OUTFALL 001 WHICH IS THE DISCHARGE POINT FOR THE WASTEWATER TREATMENT PLANT. OTHER DISCHARGE POINTS MUST MONITOR FOR OIL AND GREASE CONTENT, BUT VOC EMISSIONS ARE EXPECTED TO BE NEGLIGIBLE.

Building(s): WWTP

**Condition 25: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 25.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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 YEAR)  
Reports due 30 days after every 6 calendar months (January - June, July - December)

**Condition 26: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**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: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:  
Compliance certifications shall contain the following information:

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- 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.

Compliance certifications shall be submitted annually. Certification reports are due 30 days after the end of the calendar year.

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

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

The address for the RAPCE is as follows:

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

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring  
and Enforcement  
50 Wolf Road  
Albany, NY 12233-3258

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Reporting Requirements: ANNUALLY (CALENDAR YEAR)  
Reports due by January 30th for previous calendar year

**Condition 27: Required emissions tests**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 27.1:**

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

**Condition 28: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: 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 YEAR)

Reports due by April 15th for previous calendar year

**Condition 29: Recordkeeping requirements**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 29.1:**

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

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was



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determined, including any calculations, data, measurements, and estimates used.

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

**Condition 30: Permit requirements.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 30.1:** The NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget unit shall submit to the Department a complete NO<sub>x</sub> Budget permit application (as defined under Section 204-3.3) by May 1, 2002.

**Condition 31: Submissions to the Department.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 31.1:** Each submission under the NO<sub>x</sub> Budget Trading Program shall be submitted, signed and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.1(e)(1)) by the NO<sub>x</sub> authorized account representative.

**Condition 32: Contents of reports and compliance certifications.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 32.1:** The NO<sub>x</sub> authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NO<sub>x</sub> Budget emissions limitation for the control period covered by the report:

(1) Identification of each NO<sub>x</sub> Budget unit; and

(2) 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 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 NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(i) Whether the unit was operated in compliance with the NO<sub>x</sub> Budget emissions limitation;

(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with Subpart 204-8;

(iii) Whether all the NO<sub>x</sub> emissions from the unit, or a group of units (including the unit) using a



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common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;

(iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and

(v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

**Condition 33: General provisions.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 33.1:** The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

**Condition 34: Prohibitions.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 34.1:** No owner or operator of a NOx Budget unit or a non-NOx Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

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



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following circumstances:

- (i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or
- (ii) The NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

**Condition 35: Requirements for installation, certification, and data accounting.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 35.1:** The owner or operator of each NOx Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

- (1) Install all monitoring systems required under this Subpart for monitoring NOx mass. This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NOx allowance allocations.
- (3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.
- (4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

**Condition 36: Requirements for recertification of monitoring systems.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 36.1:** Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

**Condition 37: Out of control periods.**



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**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 37.1:** Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

**Condition 38: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 38.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

Mr. George Croll  
USEPA Clean Air Markets Division



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401 M Street SW (6204J)  
Washington D.C.

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

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring and Enforcement  
50 Wolf Rd. Room 108  
Albany N.Y. 12233-3258

ACR changes should be sent to the attention of:

NYSDEC  
Stationary Source Planning Section  
Bureau of Air Quality Planning  
50 Wolf Rd  
Albany NY 12233-3251

The address for the RAPCE is as follows:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 39: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 39.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a unit that elects to monitor  
and report NO<sub>x</sub> Mass emissions using a NO<sub>x</sub> concentration  
system and a flow system shall also monitor and report



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heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Monitoring Frequency: HOURLY

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 40: Visible emissions limited.**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 211.3**

**Item 40.1:**

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 41: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 215.**

**Item 41.1:**

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

**Condition 42: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any residual oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)



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Parameter Monitored: SULFUR CONTENT  
Upper Limit of Monitoring: 0.37 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR YEAR)  
Reports due 30 days after every 6 calendar months (January - June, July - December)

**Condition 43: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 225-1.7(c)**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 225-1.7(c) requires that measurements must be made daily of the rate of each fuel burned. Also, the facility must measure the gross heat content and ash content of each fuel burned (determined at least once per week), and the average electrical output (daily) and hourly generation rate. This information must be retained by the source owner for a period of three years.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 44: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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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.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 45: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 45.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 45.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

COMPLIANCE WITH CONSENT ORDER D3-9000-97-08 EFFECTIVE  
AUGUST 18, 1998  
OPACITY REDUCTION

1. Objective

The purpose of this condition is to identify the essential elements of the Opacity Reduction Program as agreed to by Order on Consent D3-9000-97-08 issued to Orange and Rockland Utilities effective August 18, 1998, Appendix A.

2. Opacity Monitors

Respondent's opacity monitors shall be operated and maintained in accordance with the requirements of 40 CFR Part 75, the manufacturer's recommendations and Respondent's QA/QC program.

3. Opacity Incident Reporting

Respondent shall prepare an Opacity Incident Report (OIR)

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for each excess opacity event (refer to Respondents's Opacity Compliance Programs for each station). An excess opacity emissions event consists of one or more six minute periods in which the average opacity exceeds 20%, which are caused by the same circumstance.

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 proposed preventive measures. The OIRs will be maintained for a period of five years and shall be made available to DEC on demand.

Respondent shall submit written reports of excess emissions for each calendar quarter with the nature and cause of the emissions in accordance with 6NYCRR §227-1.4.

Such reports shall include a summary page providing: the total number of reported exceedances; the total number of unexcused exceedances; monitor down time expressed as a percentage of operating time; and compliance rates, based on both total reported and unexcused exceedances, expressed (to the hundredth) as a percentage of operating time.

#### 4. Quality Assurance Program

Respondent 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 OIR and required notifications have been made. A quarterly opacity report shall be submitted to NYSDEC for review and approval. The reports shall include a tabulation of all opacity exceedances, except for those excluded under 6NYCRR Part 227. It shall also identify the causes of the events (non-exempt exceedance, or startup, shutdown, off line maintenance, equipment malfunction). The reports shall be revised to include a tabulation of opacity monitor downtime (except zero and span checks) and missing data.

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.

#### 5. Awareness, Communications and Training

Opacity awareness shall be promoted within Respondent's Electric Production Division by developing opacity awareness training for plant operators and maintenance personnel and supervisors at the station level.

The opacity awareness training shall include a review of opacity regulations and monitoring requirements, a discussion of opacity monitoring equipment, an explanation of the source of opacity and the impact of changes to plant equipment and operating parameters upon opacity, and a discussion of correction actions to be taken when excessive opacity levels occur.

Staff responsible for preparing OIRs shall receive appropriate training in identifying exceedance cases, reasons, the stipulated penalty provision of this Order, and Articles 15 and 175 of the Penal Law.

Respondent's executive management shall be informed of opacity performance on a quarterly basis.

#### 6. Preventive Maintenance

Respondent shall implement a preventive maintenance program for the CEMs, which shall include daily, quarterly and bi-annual maintenance activities. The quarterly and bi-annual activities shall be documented on preventive maintenance checklists, which shall be maintained on-site for five years.

Corrective maintenance activities shall be performed as needed. All corrective maintenance activities shall be documented on Corrective Action Sheets. These sheets shall be maintained on-site for five years.

The preventive maintenance program shall include the following daily, weekly and scheduled outage activities:

#### BOWLINE POINT

Daily Activities (when burning no. 6 oil)

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Check fuel oil and steam gauges  
Check auxiliary air and fuel air damper  
operations  
Perform fuel oil viscosity readings as needed during oil  
burning operation  
Inspect burner tilts (Unit 1 only)  
Soot blower PM

Weekly Activities (when burning no. 6 oil)  
Oil gun tip inspection  
Oil gun disassemble and repair as needed  
Inspect fuel oil piping and heat tracing  
Inspect condition of fuel oil and steam hoses

**Scheduled Outage Activities**

Inspection and calibration of:

- Fuel oil flow transmitter
- Fuel oil pressure transmitter
- Fuel gas pressure transmitter
- Air flow transmitter
- Atomizing steam transmitter
- Windbox pressure transmitter
- Furnace pressure transmitter
- Feedwater flow transmitter
- Steam flow transmitter

Inspection and repair of fans and air  
preheaters  
Inspection and repair of burners and burner  
throats  
Inspection and repair of duct work and stack  
breaching  
Clean breaching and ash hoppers  
Fireside boiler wash  
Air preheater wash

**7. Root Cause Analysis and Corrective  
Actions**

Respondent shall identify deficiencies which cause opacity  
exceedances by means of root cause analysis. At the  
beginning of each calendar year, the prior year's opacity  
OIRs shall be reviewed to identify and consistent patterns  
for opacity exceedances. Patterns that are found shall be  
investigated and corrective actions (e.g. revised  
maintenance procedures, equipment upgrades, and personnel  
refresher training for opacity awareness) shall be  
developed. These shall be summarized in a report to  
Respondent's management by March 31st of each year. These

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reports shall be maintained for a period of 5 (five) years and shall be made available to DEC on demand.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 46: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 227-2.5**

**Item 46.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Southern Company must comply with the NO<sub>x</sub> RACT Limit through a system wide average accepted by the Department as part of the NO<sub>x</sub> RACT Standard Report dated March 15, 1994 and NO<sub>x</sub> RACT Operating Plan (under Orange Rockland cover - attached) dated February 13, 1995 as amended June 20, 1996. The following emission units are included in the averaging plan: Lovett 3, 4 and 5; Bowline Point 1 and 2; Shoemaker 1 (including internal combustion engine as



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emission unit 1-00002) and Hillburn 1. During the summer period, from May 1 through September 15, the system wide average emission limit will be calculated on a 24 hour weighted average of all generating units. System wide average emission limit during the winter period September 16 through April 30 will be calculated on the basis of a weighted 30 day rolling average of the daily emissions of all units exclusive of the Hillburn and Shoemaker peaking combustion turbines (operating fewer than 500 hours during the period).

The system NOx emission limit will depend upon the specified regulatory emission limit and the relative contribution to the total system heat input of each equipment type. The system NOx emission limit for both the summer period (May 1 through September 15) and winter period (September 16 through April 30) will be calculated in accordance with the mathematical relationships contained on page 8 of the attached NOx RACT Operating Plan.

The actual NOx emissions for both the summer and winter period will be calculated based on the mathematical relationships represented on pages 9, 10 and 11 of the attached NOx RACT Operating Plan.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 47: Authorized Account Representatives (AARs)**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 47.1:** Each budget source must designate an AAR, and may designate an alternate AAR, for each compliance account and compliance overdraft account.

**Condition 48: General provisions for emissions monitoring.**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 48.1:** The owner and/or operator of each budget source subject to this Subpart must comply with

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the following requirements, as applicable:

(1) NOx mass emissions from each budget source shall be monitored as specified in both this Section and the Guidance Document, (The January 28, 1997 document issued by the Ozone Transport Commission titled "Guidance for Implementation of Emission Monitoring Requirements for the NOx Budget Program" as well as attendant and incorporated documents including the July 3, 1997 document issued by the OTC titled "NOx Budget Program Monitoring Certification and Reporting Requirements" and the July 3, 1997 document issued by the Administrator titled "Electronic Data Reporting, Acid Rain Program/NOx Budget Program."

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

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

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

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

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

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

**Condition 49: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 49.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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Sources subject to 40 CFR Part 75. The owner and/or operator of each budget source subject to 40 CFR Part 75 shall demonstrate compliance with this Subpart by using a certified 40 CFR Part 75 monitoring system and is subject to the following requirements:

Budget sources which have a flow monitor certified under 40 CFR Part 75: NO<sub>x</sub> emissions in lbs/hr shall be determined using a CEMS and the flow monitor and by multiplying together the figures resulting from application of the following two Subparagraphs:

(i) The NO<sub>x</sub> emission rate in lbs/mmBtu determined by using the procedure set forth in 40 CFR Part 75 Appendix F, Section 3.

(ii) The hourly heat input in mmBtu/hr determined by using the procedures set forth in 40 CFR Part 75 Appendix F, Section 5.

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 50: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 50.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR YEAR)



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Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 51: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 51.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

(b) If, by November 1 of the current year, the total number of allowances in the budget source's compliance account and compliance overdraft account, including allowance transfer requests properly submitted to the Administrator, is less than the current year control period NO<sub>x</sub> emissions from the budget source, the budget source must obtain additional allowances by the allowance



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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 52: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

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**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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- budget source;
- (4) testing emission monitoring devices; and,
- (5) testing conducted pursuant to 6 NYCRR Part 202.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 53: Date of construction notification.**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 53.1:**

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

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 2) a notification of the anticipated date of initial start up, post marked not more than 60 days not less than 30 days prior to such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date; and
- 7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, post marked not less than 30 days prior to the performance test.

**Condition 54: Monitoring requirements.**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 54.1:**

All monitoring systems and devices shall be installed, calibrated, maintained, and operated in



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accordance with the requirements of section 60.13.

**Condition 55: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 40CFR 60.49b(p), NSPS Subpart Db**

**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:

The owner or operator of an affected facility shall maintain records of the following information (for two years, following the date of such record, as cited in 40 CFR 60.49b(o)) for each steam generating unit operating day:

- 1) Calendar date,
- 2) The number of hours of operation, and
- 3) A record of the hourly steam load.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 56: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 40CFR 60.49b(q), NSPS Subpart Db**

**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 of an affected facility shall submit to the Administrator on a semiannual basis:

- 1) The annual capacity factor over the previous 12 months;
- 2) The average fuel nitrogen content during the reporting



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period, if residual oil was fired; and  
3) The results of any nitrogen oxides emission test required during the reporting period, the hours of operation during the reporting period, and the hours of operation since the last nitrogen oxides emission test.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR YEAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

**Condition 57: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 40CFR 72.6(a)(2), Subpart A**

**Item 57.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Bowline Point boiler unit 1 (5,546 mmBTU/hr) and boiler unit 2 (5,374 mmBTU/hr) are affected units subject to the Acid Rain Program under Title IV of the Federal Clean Air Act. For affected units, the facility must continuously monitor, maintain and certify monitoring systems for opacity, SO<sub>2</sub> emissions, NO<sub>x</sub> emissions, SO<sub>2</sub> removal (if applicable), CO<sub>2</sub> emissions and volumetric flow rate in accordance with the requirements of 40CFR Part 75. Southern Company must comply with the attached Acid Rain permit issued to Orange and Rockland Utilities Inc January 21, 1999 effective February 1, 1999. The attached Acid Rain permit is incorporated into this Title V permit.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR YEAR)

Reports due by January 30th for previous calendar year

**Condition 58: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**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 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



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system for measuring and recording the opacity of emissions (in percent opacity) discharged to the atmosphere.

Reporting Requirements: QUARTERLY (CALENDAR YEAR)  
Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 59: Recycling and Emissions Reduction**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 59.1:**

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

**Condition 60: Emission Point Definition By Emission Unit**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 60.1:**

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

Emission Unit: 1-00001



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Emission Point: 00001  
Height (ft.): 286                      Diameter (in.): 225

**Item 60.2:**

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

Emission Unit: 1-00002  
  
Emission Point: 00002  
Height (ft.): 286                      Diameter (in.): 225

**Item 60.3:**

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

Emission Unit: 1-00004  
  
Emission Point: 00004  
Height (ft.): 116                      n0 Diameter (in.): 54

**Condition 61: Process Definition By Emission Unit  
Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 61.1:**

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

Emission Unit: 1-00001  
Process: 1GS    Source Classification Code: 1-01-006-04  
Process Description:  
A NATURAL GAS-FIRED STATIONARY COMBUSTION  
UNIT RATED AT 5546 MMBTU/HR WITH 20 BURNERS  
AND QUADRUPLE NOZZLE COMBUSTION. UNIT  
OPERATED TO PRODUCE ELECTRICITY.  
OFF-STOICHIOMETRIC FIRING IS USED FOR NO<sub>x</sub>  
CONTROL.

Emission Source/Control: 00UN1 - Combustion  
Design Capacity: 5,546 million Btu per hour

**Item 61.2:**

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

Emission Unit: 1-00001  
Process: 1OL    Source Classification Code: 1-01-004-04  
Process Description:  
A TANGENTIALLY NO. 6 OIL-FIRED STATIONARY



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**Facility DEC ID: 3392200003**

COMBUSTION UNIT RATED AT 5546 MMBTU/HR WITH  
20 BURNERS. UNIT OPERATED TO PRODUCE  
ELECTRICITY. OFF-STOICHIOMETRIC FIRING IS  
USED FOR NO<sub>x</sub> CONTROL.

Emission Source/Control: 00UN1 - Combustion  
Design Capacity: 5,546 million Btu per hour

**Item 61.3:**

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

Emission Unit: 1-00001

Process: 1WL

Source Classification Code: 1-01-013-02

Process Description:

A TANGENTIALLY-FIRED STATIONARY COMBUSTION  
UNIT RATED AT 5546 MMBTU/HR WITH 20  
BURNERS. UNIT OPERATED TO PRODUCE  
ELECTRICITY. OFF-STOICHIOMETRIC FIRING IS  
USED FOR NO<sub>x</sub> CONTROL. THIS EMISSIONS UNIT  
ALSO FIRES ON-SITE GENERATED WASTE OIL.

Emission Source/Control: 00UN1 - Combustion  
Design Capacity: 5,546 million Btu per hour

**Item 61.4:**

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

Emission Unit: 1-00002

Process: 2GS

Source Classification Code: 1-01-006-04

Process Description:

A BABCOCK & WILCOX OPPOSED WALL-FIRED  
BOILER FIRES NATURAL GAS AND HAS A MAXIMUM  
FIRING RATE OF 5347 MMBTU/HR WITH 32  
BURNERS. THIS UNIT PROVIDES STEAM TO  
GENERATE ELECTRICITY. THIS UNIT USES  
OFF-STOICHIOMETRIC FIRING, OVERFIRE AIR,  
AND WINDBOX FLUE GAS RECIRCULATION TO  
CONTROL NO<sub>x</sub>.

Emission Source/Control: 00UN2 - Combustion  
Design Capacity: 5,374 million Btu per hour

**Item 61.5:**

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

Emission Unit: 1-00002

Process: 2OL

Source Classification Code: 1-01-004-04



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**Process Description:**

A BABCOCK & WILCOX OPPOSED WALL-FIRED BOILER FIRES NO. 6 FUEL OIL AND HAS A MAXIMUM FIRING RATE OF 5347 MMBTU/HR WITH 32 BURNERS. THIS UNIT PROVIDES STEAM TO GENERATE ELECTRICITY. THIS UNIT USES OFF-STOICHIOMETRIC FIRING, OVERFIRE AIR, AND WINDBOX FLUE GAS RECIRCULATION FOR NO<sub>x</sub> CONTROL.

Emission Source/Control: 00UN2 - Combustion

Design Capacity: 5,374 million Btu per hour

**Item 61.6:**

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

Emission Unit: 1-00002

Process: 2WL

Source Classification Code: 1-01-013-02

**Process Description:**

This Babcock and Wilcox opposed wall-fired boiler has a maximum firing rate of 5,374 mmBTU/hr and has 32 burners. This unit uses off-stoichiometric firing, overfire air and windbox flue gas recirculation for NO<sub>x</sub> control. This emission unit also fires on-site generated waste oil.

Emission Source/Control: 00UN2 - Combustion

Design Capacity: 5,374 million Btu per hour

**Item 61.7:**

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

Emission Unit: 1-00004

Process: 3GS

Source Classification Code: 1-01-006-01

**Process Description:**

This Babcock & Wilcox boiler is used during the start-up of the power generating boilers and fires natural gas as a fuel to also provide heat and steam to the on-site tank farm.

Emission Source/Control: 00UN4 - Combustion

Design Capacity: 136 million Btu per hour

**Item 61.8:**

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

Emission Unit: 1-WAWTP

Process: W01

Source Classification Code: 5-01-007-69

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Process Description: OUTFALL 001F OF THE WASTEWATER TREATMENT PLANT.

Emission Source/Control: 0T001 - Process

**Condition 62: Testing, monitoring, and reporting requirements for very large boilers.  
Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)**

**Item 62.1:**

This Condition applies to Emission Unit: 1-00001

**Item 62.2:**

The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

**Condition 63: Compliance Certification  
Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001  
Process: 1OL

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

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
Particulate emission limit for singular boilers or multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

Parameter Monitored: PARTICULATES  
Upper Limit of Monitoring: 0.1 pounds per million Btus  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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**Condition 64: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Process: 1WL

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each piece of equipment which fires Waste Fuel A shall demonstrate, at a minimum, 99% combustion efficiency.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Limit of Monitoring: 99.0 percent

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 65: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Process: 1WL

Emission Source: 00UN1

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for singular boilers or



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multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.1 pounds per million Btus

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 66: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001 Emission Point: 00001

**Item 66.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 67: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 67.1:**

The Compliance Certification activity will be performed for:

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Emission Unit: 1-00001 Emission Point: 00001

**Item 67.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;
- 4) Total time the COMS is required to record data during the reporting period;
- 5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and
- 6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 68: Testing, monitoring, and reporting requirements for very large boilers.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)**

**Item 68.1:**

This Condition applies to Emission Unit: 1-00002

**Item 68.2:**

The owner/operator shall measure NOx emissions with a continuous emissions monitoring system



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(CEMS) as described in 6NYCRR 227-2.6(b).

**Condition 69: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00002

Process: 2OL

Emission Source: 00UN2

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for singular boilers or multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.1 pounds per million Btus

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 70: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00002

Process: 2WL

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC

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**OPERATIONS**

**Monitoring Description:**

Each piece of equipment which fires Waste Fuel A shall demonstrate, at a minimum, 99% combustion efficiency.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Limit of Monitoring: 99.0 percent

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 71: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00002

Process: 2WL Emission Source: 00UN2

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for singular boilers or multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.1 pounds per million Btus

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 72: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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



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**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00002    Emission Point: 00002

**Item 72.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 73: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00002    Emission Point: 00002

**Item 73.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific

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identification of the cause and corrective action taken;

3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;

4) Total time the COMS is required to record data during the reporting period;

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

6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR YEAR)

Reports due 30 days after each calendar quarter (January - March, April - June, July - September, October - December)

**Condition 74: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 6NYCRR 227-2.4(b)(1)**

**Item 74.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00004

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Item 74.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

NOx emission limits for large boilers, where compliance with the specific emission limit is verified through stack testing.

Parameter Monitored: OXIDES OF NITROGEN

Upper Limit of Monitoring: 0.2 pounds per million Btus

Averaging Method: 1-HOUR AVERAGE

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 75: Performance testing timeline.**  
Effective between the dates of 10/31/2000 and 08/17/2005

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

**Item 75.1:**

This Condition applies to Emission Unit: 1-00004r

**Item 75.2:**

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

**Condition 76: Prior notice.**  
Effective between the dates of 10/31/2000 and 08/17/2005

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

**Item 76.1:**

This Condition applies to Emission Unit: 1-00004

**Item 76.2:**

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

**Condition 77: Number of required tests.**  
Effective between the dates of 10/31/2000 and 08/17/2005

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

**Item 77.1:**

This Condition applies to Emission Unit: 1-00004

**Item 77.2:**

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

**Condition 78: Performance test compliance.**  
Effective between the dates of 10/31/2000 and 08/17/2005

**Applicable Federal Requirement: 40CFR 60.44b(j), NSPS Subpart Db**

**Item 78.1:**

This Condition applies to Emission Unit: 1-00004

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**Item 78.2:**

Compliance with the initial performance test for nitrogen oxide shall be based on a 24 hour average, subsequent performance tests will be based on a 3 hour average.

**Condition 79: Oxides of nitrogen standard exemption.**

**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable Federal Requirement: 40CFR 60.44b(k), NSPS Subpart Db**

**Item 79.1:**

This Condition applies to Emission Unit: 1-00004

**Item 79.2:**

Affected facilities which meet the criteria in paragraphs (j)(1), (j)(2), and (j)(3) and are less than or equal to 73 MW in heat input capacity are exempt from the oxides of nitrogen standards of section 40 CFR 60-D.44b(k).

**Condition 80: Compliance Certification**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 80.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00004 Emission Point: 00004

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Item 80.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Southern Company shall measure NO<sub>x</sub> emissions by performing a stack test in accordance with 227-2.6(c).

Southern Company shall submit a compliance test protocol to the department for approval within 90 days from permit issuance. For large and mid-size boiler the stack test shall utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department.

Parameter Monitored: OXIDES OF NITROGEN

Upper Limit of Monitoring: 0.20 pounds per million Btus



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Reference Test Method: Method 7E

Monitoring Frequency: AS REQUIRED - SEE MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 81: Compliance Certification**  
**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 81.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-00004 Emission Point: 00004

**Item 81.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR YEAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

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**STATE ONLY ENFORCEABLE CONDITIONS**

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

**Condition 82: General Provisions**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 82.1:**

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

**Item 82.2:**

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

**Item 82.3:**

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

**Condition 83: Contaminant List**

**Effective between the dates of 10/31/2000 and 08/17/2005**

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

**Item 83.1:**

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

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN



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**Condition 84: Air pollution prohibited**

**Effective between the dates of 10/31/2000 and 08/17/2005**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 84.1:**

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.