

New York State Department of Environmental Conservation
Facility DEC ID: 4192200055



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 4-1922-00055/00005
Effective Date: 01/24/2007 Expiration Date: 01/23/2012

Permit Issued To: NEW ATHENS GENERATING COMPANY LLC
9300 US RTE 9W
PO BOX 349
ATHENS, NY 12015-0349

Facility: ATHENS GENERATING PLANT
9300 US RTE 9W
ATHENS, NY 12015

Contact: NED KLEINSCHMIDT
ATHENS GENERATING COMPANY LLC
PO BOX 349
ATHENS, NY 12015-0349

Description:

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: MICHAEL T HIGGINS
DIVISION OF ENVIRONMENTAL PERMITS
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for permit renewals, modifications and transfers

Applications for Permit Renewals and Modifications

Permit modifications, suspensions or revocations by the Department

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 4

HEADQUARTERS

Submission of application for permit modification or renewal-REGION 4

HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:



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

Condition 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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

Item 4.2:

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

Item 4.3:

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

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 5.1:

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

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

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

Item 6.1:

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

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;

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

****** Facility Level ******

Condition 7: Submission of Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 7.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1150 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

Condition 8: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 8.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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PO BOX 349
ATHENS, NY 12015-0349

Facility: ATHENS GENERATING PLANT
9300 US RTE 9W
ATHENS, NY 12015

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

Permit Effective Date: 01/24/2007

Permit Expiration Date: 01/23/2012



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 22 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 13 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 14 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 15 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 16 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 17 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 18 6NYCRR 202-1.1: Required Emissions Tests
- 19 6NYCRR 211.3: Visible Emissions Limited
- 20 40CFR 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6: Compliance Certification
- 25 6NYCRR 201-6: Compliance Certification
- 26 6NYCRR 227-1.3: Compliance Certification
- 27 6NYCRR 227-2.4(e)(2)(i): Compliance Certification
- 28 6NYCRR 227-2.4(e)(2)(ii): Compliance Certification
- 29 6NYCRR 231-2.5: Compliance Certification
- 30 6NYCRR 231-2.5: Compliance Certification
- 31 6NYCRR 231-2.5: Compliance Certification
- 32 6NYCRR 231-2.5: Compliance Certification
- 33 6NYCRR 231-2.5: Compliance Certification
- 34 6NYCRR 231-2.5: Compliance Certification
- 35 6NYCRR 231-2.5: Compliance Certification
- 36 6NYCRR 231-2.5: Compliance Certification
- 37 6NYCRR 231-2.5: Compliance Certification
- 38 6NYCRR 231-2.5: Compliance Certification
- 39 6NYCRR 231-2.5: Compliance Certification



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- 40 6NYCRR 231-2.9(b)(1): Compliance Certification
- 41 6NYCRR 231-2.9(b)(2): Compliance Certification
- 42 40CFR 52.21, Subpart A: Compliance Certification
- 43 40CFR 52.21, Subpart A: Compliance Certification
- 44 40CFR 52.21, Subpart A: Compliance Certification
- 45 40CFR 52.21, Subpart A: Compliance Certification
- 46 40CFR 52.21, Subpart A: Compliance Certification
- 47 40CFR 52.21, Subpart A: Compliance Certification
- 48 40CFR 52.21, Subpart A: Compliance Certification
- 49 40CFR 52.21, Subpart A: Compliance Certification
- 50 40CFR 52.21, Subpart A: Compliance Certification
- 51 40CFR 52.21, Subpart A: Compliance Certification
- 52 40CFR 52.21, Subpart A: Compliance Certification
- 53 40CFR 52.21, Subpart A: Compliance Certification
- 54 40CFR 52.21, Subpart A: Compliance Certification
- 55 40CFR 52.21, Subpart A: Compliance Certification
- 56 40CFR 52.21, Subpart A: Compliance Certification
- 57 40CFR 52.21, Subpart A: Compliance Certification
- 58 40CFR 52.21, Subpart A: Compliance Certification
- 59 40CFR 52.21, Subpart A: Compliance Certification
- 60 40CFR 52.21, Subpart A: Compliance Certification
- 61 40CFR 52.21, Subpart A: Compliance Certification
- 62 40CFR 52.21, Subpart A: Compliance Certification
- 63 40CFR 52.21, Subpart A: Compliance Certification
- 64 40CFR 52.21, Subpart A: Compliance Certification
- 65 40CFR 52.21, Subpart A: Compliance Certification
- 66 40CFR 52.21, Subpart A: Compliance Certification
- 67 40CFR 52.21, Subpart A: Compliance Certification
- 68 40CFR 52.21, Subpart A: Compliance Certification
- 69 40CFR 52.21, Subpart A: Compliance Certification
- 70 40CFR 52.21, Subpart A: Compliance Certification
- 71 40CFR 52.21, Subpart A: Compliance Certification
- 72 40CFR 52.21, Subpart A: Compliance Certification
- 73 40CFR 52.21, Subpart A: Compliance Certification
- 74 40CFR 52.21, Subpart A: Compliance Certification
- 75 40CFR 52.21, Subpart A: Compliance Certification
- 76 40CFR 52.21, Subpart A: Compliance Certification
- 77 40CFR 52.21, Subpart A: Compliance Certification
- 78 40CFR 52.21(j), Subpart A: Compliance Certification
- 79 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 80 40CFR 60.7(a), NSPS Subpart A: Date of construction notification -
If a COM is not used.
- 81 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 82 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 83 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 84 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 85 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.



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- 86 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
- 87 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 88 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 89 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 90 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 91 40CFR 60.9, NSPS Subpart A: Availability of information.
- 92 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 93 40CFR 60.12, NSPS Subpart A: Circumvention.
- 94 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 95 40CFR 60.14, NSPS Subpart A: Modifications.
- 96 40CFR 60.15, NSPS Subpart A: Reconstruction
- 97 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification
- 98 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

Emission Unit Level

- 99 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 100 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001

- 101 6NYCRR 204-1.6: Permit requirements (facilities commencing operation on or after 01/00)
- 102 6NYCRR 204-2.1: Submissions to the Department.
- 103 6NYCRR 204-4.1: Content of reports and compliance certifications.
- 104 6NYCRR 204-7.1: Submission of NO_x allowance transfers.
- 105 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 106 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 107 6NYCRR 204-8.3: Out of control periods.
- 108 6NYCRR 227-2.6(b)(5): Alternate CEMs requirements.
- 109 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 110 40CFR 60.333, NSPS Subpart GG: Sulfur in fuel standard.
- 111 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification
- 112 40CFR 60.335(a), NSPS Subpart GG: Test methods and procedures for performance tests

EU=U-00001,Proc=1BD

- 113 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 116 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00001,Proc=1BG

- 117 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00001,Proc=1MD

- 114 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 118 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

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EU=U-00001,Proc=1MG

119 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00001,Proc=1SD

115 40CFR 60.334(b), NSPS Subpart GG: CEMS

EU=U-00001,EP=00001

120 40CFR 60.334(c), NSPS Subpart GG: Compliance Certification

121 40CFR 72.9, Subpart A: Compliance Certification

122 40CFR 75.11(d), Subpart B: Compliance Certification

EU=U-00002

123 6NYCRR 204-1.6: Permit requirements (facilities commencing operation on or after 01/00)

124 6NYCRR 204-2.1: Submissions to the Department.

125 6NYCRR 204-4.1: Content of reports and compliance certifications.

126 6NYCRR 204-7.1: Submission of NOx allowance transfers.

127 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.

128 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.

129 6NYCRR 204-8.3: Out of control periods.

130 6NYCRR 227-2.6(b)(5): Alternate CEMs requirements.

131 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A

132 40CFR 60.333, NSPS Subpart GG: Sulfur in fuel standard.

133 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification

134 40CFR 60.335(a), NSPS Subpart GG: Test methods and procedures for performance tests

EU=U-00002,Proc=2BD

135 40CFR 60.334(b), NSPS Subpart GG: CEMS

138 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00002,Proc=2BG

139 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00002,Proc=2MD

136 40CFR 60.334(b), NSPS Subpart GG: CEMS

140 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00002,Proc=2MG

141 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00002,Proc=2SD

137 40CFR 60.334(b), NSPS Subpart GG: CEMS

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EU=U-00002,EP=00002

- 142 40CFR 60.334(c), NSPS Subpart GG: Compliance Certification
- 143 40CFR 72.9, Subpart A: Compliance Certification
- 144 40CFR 75.11(d), Subpart B: Compliance Certification

EU=U-00003

- 145 6NYCRR 204-1.6: Permit requirements (facilities commencing operation on or after 01/00)
- 146 6NYCRR 204-2.1: Submissions to the Department.
- 147 6NYCRR 204-4.1: Content of reports and compliance certifications.
- 148 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 149 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 150 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 151 6NYCRR 204-8.3: Out of control periods.
- 152 6NYCRR 227-2.6(b)(5): Alternate CEMs requirements.
- 153 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 154 40CFR 60.333, NSPS Subpart GG: Sulfur in fuel standard.
- 155 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification
- 156 40CFR 60.335(a), NSPS Subpart GG: Test methods and procedures for performance tests

EU=U-00003,Proc=3BD

- 157 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 160 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00003,Proc=3BG

- 161 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00003,Proc=3MD

- 158 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 162 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00003,Proc=3MG

- 163 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification

EU=U-00003,Proc=3SD

- 159 40CFR 60.334(b), NSPS Subpart GG: CEMS

EU=U-00003,EP=00003

- 164 40CFR 60.334(c), NSPS Subpart GG: Compliance Certification
- 165 40CFR 72.9, Subpart A: Compliance Certification
- 166 40CFR 75.11(d), Subpart B: Compliance Certification



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EU=U-00004,EP=00004

167 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00005

168 6NYCRR 231-2.5: Compliance Certification

169 6NYCRR 231-2.5: Compliance Certification

EU=U-00005,EP=00005

170 40CFR 52.21, Subpart A: Compliance Certification

171 40CFR 52.21, Subpart A: Compliance Certification

172 40CFR 52.21, Subpart A: Compliance Certification

173 40CFR 52.21, Subpart A: Compliance Certification

174 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00006

175 6NYCRR 231-2.5: Compliance Certification

176 6NYCRR 231-2.5: Compliance Certification

EU=U-00006,EP=00006

177 40CFR 52.21, Subpart A: Compliance Certification

178 40CFR 52.21, Subpart A: Compliance Certification

179 40CFR 52.21, Subpart A: Compliance Certification

180 40CFR 52.21, Subpart A: Compliance Certification

181 40CFR 52.21, Subpart A: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

182 ECL 19-0301: Contaminant List

183 6NYCRR 201-1.4: Unavoidable noncompliance and violations

184 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

EU=U-00001

185 6NYCRR 237-1.4(a): Applicable Units, nameplate capacity of 25 MWe
or greater

186 6NYCRR 237-1.6(a): Permit Requirements

187 6NYCRR 237-1.6(c): Compliance Demonstration

188 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements

189 6NYCRR 237-1.6(f): Liability

190 6NYCRR 237-1.6(g): Effect on other Authorities

191 6NYCRR 237-2: Authorization and responsibilities of the NO_x
authorized account representative

192 6NYCRR 237-4.1: Compliance Demonstration

193 6NYCRR 237-7.1: Submission of NO_x allowance transfers



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- 194 6NYCRR 237-8: Compliance Demonstration
- 195 6NYCRR 238-1.4: Applicability
- 196 6NYCRR 238-1.6(a): Permit Requirements to be included in new permits or units.
- 197 6NYCRR 238-1.6(c): Compliance Demonstration
- 198 6NYCRR 238-1.6(e): Compliance Demonstration
- 199 6NYCRR 238-1.6(f): Liability
- 200 6NYCRR 238-1.6(g): Effect on Other Authorities
- 201 6NYCRR 238-2.1: Submissions to the Department
- 202 6NYCRR 238-4.1: Compliance Demonstration
- 203 6NYCRR 238-7.1: Submission of SO₂ allowance transfers
- 204 6NYCRR 238-8: Compliance Demonstration

EU=U-00002

- 205 6NYCRR 237-1.4(a): Applicable Units, nameplate capacity of 25 MWe or greater
- 206 6NYCRR 237-1.6(a): Permit Requirements
- 207 6NYCRR 237-1.6(c): Compliance Demonstration
- 208 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 209 6NYCRR 237-1.6(f): Liability
- 210 6NYCRR 237-1.6(g): Effect on other Authorities
- 211 6NYCRR 237-2: Authorization and responsibilities of the NO_x authorized account representative
- 212 6NYCRR 237-4.1: Compliance Demonstration
- 213 6NYCRR 237-7.1: Submission of NO_x allowance transfers
- 214 6NYCRR 237-8: Compliance Demonstration
- 215 6NYCRR 238-1.4: Applicability
- 216 6NYCRR 238-1.6(a): Permit Requirements to be included in new permits or units.
- 217 6NYCRR 238-1.6(c): Compliance Demonstration
- 218 6NYCRR 238-1.6(e): Compliance Demonstration
- 219 6NYCRR 238-1.6(f): Liability
- 220 6NYCRR 238-1.6(g): Effect on Other Authorities
- 221 6NYCRR 238-2.1: Submissions to the Department
- 222 6NYCRR 238-4.1: Compliance Demonstration
- 223 6NYCRR 238-7.1: Submission of SO₂ allowance transfers
- 224 6NYCRR 238-8: Compliance Demonstration

EU=U-00003

- 225 6NYCRR 237-1.4(a): Applicable Units, nameplate capacity of 25 MWe or greater
- 226 6NYCRR 237-1.6(a): Permit Requirements
- 227 6NYCRR 237-1.6(c): Compliance Demonstration
- 228 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 229 6NYCRR 237-1.6(f): Liability
- 230 6NYCRR 237-1.6(g): Effect on other Authorities
- 231 6NYCRR 237-2: Authorization and responsibilities of the NO_x

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- authorized account representative
- 232 6NYCRR 237-4.1: Compliance Demonstration
 - 233 6NYCRR 237-7.1: Submission of NO_x allowance transfers
 - 234 6NYCRR 237-8: Compliance Demonstration
 - 235 6NYCRR 238-1.4: Applicability
 - 236 6NYCRR 238-1.6(a): Permit Requirements to be included in new permits or units.
 - 237 6NYCRR 238-1.6(c): Compliance Demonstration
 - 238 6NYCRR 238-1.6(e): Compliance Demonstration
 - 239 6NYCRR 238-1.6(f): Liability
 - 240 6NYCRR 238-1.6(g): Effect on Other Authorities
 - 241 6NYCRR 238-2.1: Submissions to the Department
 - 242 6NYCRR 238-4.1: Compliance Demonstration
 - 243 6NYCRR 238-7.1: Submission of SO₂ allowance transfers
 - 244 6NYCRR 238-8: Compliance Demonstration



FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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

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

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

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

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

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to



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Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

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

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in

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order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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Act;

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

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

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

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

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

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

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

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

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



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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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 2: Fees

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 201-6.5(a)(7)

Item 2.1:

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 3.1:

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

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

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

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

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 6: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

The address for the RAPCE is as follows:

1150 North Westcott Road
Schenectady, NY 12306-2014

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission statements shall be submitted on or before April
15th each year for emissions of the previous calendar
year.

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

Condition 8: Recordkeeping requirements
Effective between the dates of 01/24/2007 and 01/23/2012



Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

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

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 215

Item 9.1:

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT
TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 10: Maintenance of Equipment
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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

Condition 11: Recycling and Salvage
Effective between the dates of 01/24/2007 and 01/23/2012

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Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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 the ECL.

Condition 22: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 22.1:

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 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 12.1:

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

Condition 13: Trivial Sources - Proof of Eligibility
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 13.1:

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

Condition 14: Standard Requirement - Provide Information



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

Item 14.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 15: General Condition - Right to Inspect

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 15.1:

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

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

Condition 16: Standard Requirements - Progress Reports

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 16.1:

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

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



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(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 17: Off Permit Changes
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 17.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

Condition 18: Required Emissions Tests
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 18.1:

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

Condition 19: Visible Emissions Limited
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 211.3

Item 19.1:



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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 20: Accidental release provisions.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 68

Item 20.1:

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

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

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

Condition 21: Recycling and Emissions Reduction
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 21.1:

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

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

Condition 23: Emission Unit Definition

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Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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

Emission Unit: U-00001

Emission Unit Description:

EMISSION UNIT U00001 CONSISTS OF A WESTINGHOUSE MODEL 501G COMBUSTION TURBINE (245 MW BASE LOAD AT ISO CONDITIONS) WITH HEAT RECOVERY STEAM GENERATOR AND STEAM TURBINE (115 MW BASE LOAD). THE TURBINE EMPLOYS DRY LOW NOX TECHNOLOGY AND NORMALLY OPERATES ON GAS. DISTILLATE OIL OPERATION IS LIMITED TO 1080 HRS/YEAR. STEAM (OR WATER INJECTION) IS USED DURING OIL FIRING TO REDUCE NOX EMISSIONS. TOTAL HEAT RATING IS 3100 MMBTU/HR. NOX EMISSIONS FROM THE TURBINES ARE ADDITIONALLY CONTROLLED BY SELECTIVE CATALYTIC REDUCTION WITH AMMONIUM HYDROXIDE INJECTION.

Building(s): TB

Item 23.2:

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

Emission Unit: U-00002

Emission Unit Description:

EMISSION UNIT U00002 CONSISTS OF A WESTINGHOUSE MODEL 501G COMBUSTION TURBINE (245 MW BASE LOAD AT ISO CONDITIONS) WITH HEAT RECOVERY STEAM GENERATOR AND STEAM TURBINE (115 MW BASE LOAD). THE TURBINE EMPLOYS DRY LOW NOX TECHNOLOGY AND NORMALLY OPERATES ON GAS. DISTILLATE OIL OPERATION IS LIMITED TO 1080 HRS/YEAR. STEAM (OR WATER INJECTION) IS USED DURING OIL FIRING TO REDUCE NOX EMISSIONS. TOTAL HEAT RATING IS 3100 MMBTU/HR. NOX EMISSIONS FROM THE TURBINES ARE ADDITIONALLY CONTROLLED BY SELECTIVE CATALYTIC REDUCTION WITH AMMONIUM HYDROXIDE INJECTION.

Building(s): TB

Item 23.3:



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

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

Emission Unit: U-00003

Emission Unit Description:

EMISSION UNIT U00003 CONSISTS OF A WESTINGHOUSE MODEL 501G COMBUSTION TURBINE (245 MW BASE LOAD AT ISO CONDITIONS) WITH HEAT RECOVERY STEAM GENERATOR AND STEAM TURBINE (115 MW BASE LOAD). THE TURBINE EMPLOYS DRY LOW NOX TECHNOLOGY AND NORMALLY OPERATES ON GAS. DISTILLATE OIL OPERATION IS LIMITED TO 1080 HOURS/YEAR. STEAM (OR WATER INJECTION) IS USED DURING OIL FIRING TO REDUCE NOX EMISSIONS. TOTAL HEAT RATING IS 3100 MMBTU/HR. NOX EMISSIONS FROM THE TURBINES ARE ADDITIONALLY CONTROLLED BY SELECTIVE CATALYTIC REDUCTION WITH AMMONIUM HYDROXIDE INJECTION.

Building(s): TB

Item 23.4:

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

Emission Unit: U-00004

Emission Unit Description:

THREE (3) 20,000 GALLON DOUBLE WALL WITH AMMONIUM HYDROXIDE (AQUEOUS AMMONIUM) TANKS WITH INTERSTITIAL LEAK MONITORS. TANK IS MAINTAINED AT 11.5 PSIG WITH EMERGENCY PRESSURE RELIEF ONLY (NO CONTINUOUS VENT).

Building(s): AST

Item 23.5:

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

Emission Unit: U-00005

Emission Unit Description:

DIESEL FIRED EMERGENCY GENERATOR, CATERPILLAR TYPE SR4B, WITH 3512B-LE ENGINE, RATED AT 1500 KW. MAXIMUM FUEL CONSUMPTION OF 112.7 GPH, WITH 500 GALLON DOUBLE WALL TANK WITH RUPTURE BASIN. OPERATION IS LIMITED TO 500 HRS/YEAR.

Building(s): DEG

Item 23.6:

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



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00006

Emission Unit Description:

DIESEL FIRED EMERGENCY FIRE PUMP, DETROIT
MODEL JDFP-06WA, 6 CYLINDER, RATED AT 265
HP, WITH MAXIMUM FUEL CONSUMPTION OF 13.98
GPH. OPERATION IS LIMITED TO 500
HOURS/YEAR.

Building(s): WTB

Condition 24: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 24.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):

CAS No: 000050-00-0 FORMALDEHYDE

Item 24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

EMISSIONS SHALL BE CONTROLLED BY THE USE
OF EFFICIENT COMBUSTION TECHNIQUES. THE

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



EMISSION LIMIT IS SET TO ENSURE THAT THE COMBINED POTENTIAL EMISSIONS FROM THE THREE TURBINES IS WELL BELOW THE 10 TON PER YEAR PART 63 SUBPART B APPLICABILITY THRESHOLD. IF THE STACK TEST RESULTS SHOW EMISSIONS ARE EQUAL TO OF GREATER THAN 0.000244 LBS PER MMBTU, THE FACILITY WILL BE SUBJECT TO PART 63 SUBPART B.

Manufacturer Name/Model Number: TBD

Upper Permit Limit: 0.2 pounds per hour

Reference Test Method: RM-320

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 25: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 25.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

CAS No: 000050-00-0 FORMALDEHYDE

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

EMISSIONS SHALL BE CONTROLLED BY THE USE OF EFFICIENT COMBUSTION TECHNIQUES. THE EMISSION LIMIT IS SET TO ENSURE THAT THE COMBINED POTENTIAL EMISSIONS FROM THE THREE TURBINES IS WELL BELOW THE 10 TON PER YEAR PART 63 SUBPART B APPLICABILITY THRESHOLD. IF THE STACK TEST RESULTS SHOW EMISSIONS ARE EQUAL TO OF GREATER THAN 0.000244 LBS PER MMBTU, THE FACILITY WILL BE SUBJECT TO PART 63 SUBPART B.

Manufacturer Name/Model Number: TBD

Upper Permit Limit: 0.000244 pounds per million Btus

Reference Test Method: RM-320

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 26: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 26.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Except as permitted by a specific part of Title 6 of the NYCRR, no person shall cause or allow any air

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

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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 27 percent opacity.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will

New York State Department of Environmental Conservation

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last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 27: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(e)(2)(i)

Item 27.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 1BG

Emission Unit: U-00001

Process: 1MG

Emission Unit: U-00002

Process: 2BG

Emission Unit: U-00002

Process: 2MG

Emission Unit: U-00003

Process: 3BG

Emission Unit: U-00003

Process: 3MG

Regulated Contaminant(s):

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

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

COMBINED CYCLE COMBUSTION TURBINES



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

FIRING NATURAL GAS THE NOX RACT EMISSION
LIMIT IS 42PPM CORRECTED TO 15 % O2.

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 42 parts per million by volume (dry,
corrected to 15% O2)

Reference Test Method: RM 20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 28: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(e)(2)(ii)

Item 28.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 1BD

Emission Unit: U-00001

Process: 1MD

Emission Unit: U-00002

Process: 2BD

Emission Unit: U-00002

Process: 2MD

Emission Unit: U-00003

Process: 3BD

Emission Unit: U-00003

Process: 3MD

Regulated Contaminant(s):

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

Item 28.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

COMBINED CYCLE COMBUSTION TURBINES
FIRING FUEL OIL THE NOX RACT EMISSION
LIMIT IS 65 PPMVD CORRECTED TO 15 % O₂.

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 65 parts per million by volume (dry,
corrected to 15% O₂)

Reference Test Method: RM 20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 29: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 29.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Emission Unit: U-00002

Emission Unit: U-00003

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

TOTAL VOC EMISSIONS FROM EMISSION UNITS;
U-00001, U-00002, U-00003 SHALL NOT
EXCEED 233.2 TONS PER YEAR ON A 12 MONTH
ROLLING AVERAGE BASIS. VOC EMISSIONS
WILL BE CALCULATED USING THE RESULTS OF
STACK TESTING TO BE COMPLETED ONCE PER
PERMIT TERM.



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Upper Permit Limit: 233.2 tons per year
Reference Test Method: RM-25 W/METHANE/ETHANE BACKOUT
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 30.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

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

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C
Upper Permit Limit: 23.4 pounds per hour
Reference Test Method: RM-20/7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR BLOCK AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 31: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 31.1:

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

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

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

Item 31.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 9.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 32: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 32.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 13.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-25A with Methane/Ethane backout

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 33: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 33.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 39.2 pounds per hour

Reference Test Method: RM-25A with Methane/Ethane backout

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 34: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 34.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Process: 3BG

Emission Unit: U-00003 Emission Point: 00003

Process: 3MG

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 16.8 pounds per hour

Reference Test Method: RM-25A with Methane/Ethane backout

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 35: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 35.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001

Process: 1BG

Emission Unit: U-00001 Emission Point: 00001

Process: 1MG

Emission Unit: U-00002 Emission Point: 00002

Process: 2BG

Emission Unit: U-00002 Emission Point: 00002

Process: 2MG



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

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

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 2.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 36: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 36.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

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

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 101.9 pounds per hour

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 37: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 37.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 4.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-25A with Methane/Ethane backout

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 38: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 38.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Emission Unit: U-00001 Emission Point: 00001
Process: 1SD

Emission Unit: U-00001 Emission Point: 00001
Process: 1SG

Emission Unit: U-00002 Emission Point: 00002
Process: 2SD

Emission Unit: U-00002 Emission Point: 00002
Process: 2SG

Emission Unit: U-00003 Emission Point: 00003
Process: 3SD

Emission Unit: U-00003 Emission Point: 00003
Process: 3SG

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

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

EMISSION RECORDS WILL BE MAINTAINED FOR OXIDES OF NITROGEN DURING STARTUP AND SHUTDOWN WHILE FIRING NATURAL GAS OR FUEL OIL FOR A ONE YEAR PERIOD, IN ORDER TO ESTABLISH AN SUSD EMISSION LIMIT FOR THE COMBUSTION TURBINE. A CEMS IS USED TO MONITOR EMISSIONS AT THE GAS TURBINE EXHAUST STACK.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 39: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 39.1:

The Compliance Certification activity will be performed for the facility:

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



The Compliance Certification applies to:

Emission Unit: U-00005

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

VOC EMISSIONS FROM THE EMISSION UNIT U-00005 AND U-00006 SHALL NOT EXCEED 0.6 TONS PER YEAR. THE FACILITY SHALL MAINTAIN A LOG OF THE HOURS OF OPERATION OF THE ENGINES AND THE REASON FOR OPERATION ON-SITE. EACH ENGINE WILL BE EQUIPPED A HOUR METER. OPERATIONAL HOURS SHALL BE CALCULATED FROM THE HOUR COUNTER AND RECORDED IN THE LOG. HOURS OF OPERATION SHALL BE SUMMED WITH THE PREVIOUS ELEVEN MONTHS TO CALCULATE A ROLLING TWELVE MONTH TOTAL.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 500 hours per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 40: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.9(b)(1)

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING OBTAINED NOX EMISSION
CREDITS TOTALING 560 TONS PER YEAR AS
LISTED IN SUPPORTING DOCUMENT 10.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 41: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.9(b)(2)

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING OBTAINED VOC EMISSION
CREDITS TOTALING 273 TONS PER YEAR AS
LISTED IN THE ATTACHMENTS.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 42: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 42.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

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

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HIGHER HEATING
VALUE OF THE NATURAL GAS. A CEMS IS USED
TO MONITOR EMISSIONS AT THE GAS TURBINE
EXHUAUST STACK. EMISSION LIMIT IS 15 PPM
AT 100% LOAD.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE
INFRARED

Upper Permit Limit: 15.0 parts per million by volume
(dry, corrected to 15% O2)

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 43: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Item 43.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

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

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 9.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Condition 44: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 44.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

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

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HIGHER HEATING
VALUE OF THE DISTILLATE FUEL OIL. A CEMS
IS USED TO MONITOR EMISSIONS AT THE GAS
TURBINE EXHAUST STACK. EMISSION LIMIT IS
50 PPMVD AT 100% LOAD.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE
INFRARED

Upper Permit Limit: 50.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 45: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 45.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

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

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

ATHENS GENERATING IS PROPOSING A FUEL
SULFUR LIMIT OF 0.05 PERCENT BY WEIGHT.
FOR FUEL OIL, USING ONE OF THE TOTAL
SULFUR SAMPLING OPTIONS AND THE
ASSOCIATED SAMPLING FREQUENCY DESCRIBED
IN SECTIONS 2.2.3, 2.2.4.1, 2.2.4.2, AND
2.2.4.3 OF APPENDIX D TO PART
75.



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 148.2 pounds per hour
Reference Test Method: APPENDIX D
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 46.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Monitoring Description:

EMISSION LIMIT IS A DISCRETE ONE HOUR
AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE DISTILLATE FUEL OIL. A CEMS IS
USED TO MONITOR EMISSIONS AT THE GAS
TURBINE STACK

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 10.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-CTM-027

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 47: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 47.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

CAS No: 0NY075-00-5 PM-10
CAS No: 0NY075-00-0 PARTICULATES

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 0.075 pounds per million Btus

Reference Test Method: RM-201A,202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 48: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 48.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Process: 3MG

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE CONTINUOUS RECORDING OF NATURAL GAS USAGE, WITH HEAT INPUT CORRESPONDING TO THE HIGHER HEATING VALUE OF THE FUEL. BASED ON ANALYTICAL DATA COLLECTED FOR A ONE YEAR PERIOD BY ATHENS GENERATING COMPANY THE NATURAL GAS MEETS THE DEFINITION OF "PIPELINE NATURAL GAS" WITH A SULFUR CONTENT BELOW 0.5 GRAINS/100 SCF AS DEFINED IN 40 CFR 72.2. AS A RESULT SULFUR DIOXIDE EMISSIONS WILL BE CALCULATED USING 0.0006 LB/MMBTU, IN ACCORDANCE WITH 40 CFR 75, APPENDIX D, SECTION 2.3.1.1. ATHENS GENERATING WILL EITHER PERFORM AN ANNUAL SULFUR CONTENT ANALYSIS OR OBTAIN SUCH AN ANALYSIS FROM THE GAS SUPPLIER.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 21.0 pounds per hour

Reference Test Method: APPENDIX D

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 49: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Item 49.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

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

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

ATHENS GENERATING IS PROPOSING A FUEL
SULFUR LIMIT OF 0.05 PERCENT BY WEIGHT.
FOR FUEL OIL, USING ONE OF THE TOTAL
SULFUR SAMPLING OPTIONS AND THE
ASSOCIATED SAMPLING FREQUENCY DESCRIBED
IN SECTIONS 2.2.3, 2.2.4.1, 2.2.4.2, AND
2.2.4.3 OF APPENDIX D TO PART 75.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.05 pounds per million Btus

Reference Test Method: APPENDIX D

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 50: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 50.1:

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

Emission Unit: U-00005

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE ENGINE ASSOCIATED WITH THE GENERATOR
SHALL BE LOCATED A MINIMUM OF 40 FEET
FROM THE TURBINE BUILDING.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 51: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 51.1:

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

Emission Unit: U-00001

Emission Unit: U-00002

Emission Unit: U-00003



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Regulated Contaminant(s):

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

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

TOTAL NOX EMISSIONS FROM EMISSION UNITS;
U-00001, U-00002, U-00003 SHALL NOT
EXCEED 424.2 TONS PER YEAR ON A 12 MONTH
ROLLING AVERAGE BASIS.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 424.2 tons per year

Reference Test Method: RM-20/7E

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 52: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 52.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):
CAS No: 007664-93-9 SULFURIC ACID

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 23.5 pounds per hour
Reference Test Method: RM-8
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 53: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 53.1:

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

Emission Unit: U-00005

Emission Unit: U-00006

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

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Monitoring Description:

NOX EMISSIONS FROM THE EMISSION UNIT U-00005 AND U-00006 SHALL NOT EXCEED 20.6 TONS PER YEAR. THE FACILITY SHALL MAINTAIN A LOG OF THE HOURS OF OPERATION OF THE ENGINES AND THE REASON FOR OPERATION ON-SITE. EACH ENGINE WILL BE EQUIPPED A HOUR METER. OPERATIONAL HOURS SHALL BE CALCULATED FROM THE HOUR COUNTER AND RECORDED IN THE LOG. HOURS OF OPERATION SHALL BE SUMMED WITH THE PREVIOUS ELEVEN MONTHS TO CALCULATE A ROLLING TWELVE MONTH TOTAL.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 500 hours per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 54: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 54.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 54.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE HIGHER HEATING VALUE OF THE NATURAL GAS. A CEMS IS USED TO MONITOR EMISSIONS AT THE GAS TURBINE EXHUAUST STACK. EMISSION LIMIT IS 30 PPM AT THE MINIMUM 75% LOAD. THE CARBON MONOXIDE EMISSION LIMITS FOR THE TURBINE LOADS BETWEEN 75 AN 100% SHALL BE DETERMINED BY LINEAR INTERPOLATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE INFRARED

Upper Permit Limit: 30.0 parts per million by volume
(dry, corrected to 15% O2)

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 55: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 55.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):
CAS No: 007664-93-9 SULFURIC ACID

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 0.0009 pounds per million Btus
Reference Test Method: RM-8
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 56: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 56.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

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



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE HIGHER HEATING VALUE OF THE DISTILLATE FUEL OIL. A CEMS IS USED TO MONITOR EMISSIONS AT THE GAS TURBINE EXHAUST STACK. EMISSION LIMIT IS 351.8 LB/HR AT 100% LOAD.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE INFRARED

Upper Permit Limit: 351.8 pounds per hour

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 57: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 57.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 57.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE HIGHER HEATING VALUE OF THE DISTILLATE FUEL OIL. A CEMS IS USED TO MONITOR EMISSIONS AT THE GAS TURBINE EXHAUST STACK. EMISSION LIMIT IS 508.2 LB/HR AT THE MINIMUM 75% LOAD. THE CARBON MONOXIDE EMISSION LIMITS FOR THE TURBINE LOADS BETWEEN 75 AN 100% SHALL BE DETERMINED BY LINEAR INTERPOLATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE INFRARED

Upper Permit Limit: 508.2 pounds per hour

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 58: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 58.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0	FORMALDEHYDE
CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 007664-41-7	AMMONIA
CAS No: 007664-93-9	SULFURIC ACID
CAS No: 0NY075-00-5	PM-10
CAS No: 0NY998-00-0	VOC
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

PERMIT EMISSION LIMITS APPLY AT ALL LOADS AND MODES OF OPERATION. DURING PERIODS OF STARTUP, SHUTDOWN, MAINTENANCE, OR EMERGENCY, THE PROVISIONS OF 6 NYCRR PART 201-1.4 AND 1.5 APPLY.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 59: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 59.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1SD

Emission Unit: U-00001 Emission Point: 00001
Process: 1SG

Emission Unit: U-00002 Emission Point: 00002
Process: 2SD

Emission Unit: U-00002 Emission Point: 00002
Process: 2SG

Emission Unit: U-00003 Emission Point: 00003
Process: 3SD

Emission Unit: U-00003 Emission Point: 00003
Process: 3SG

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

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

Item 59.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Permit emission limits apply at all loads and modes of operation between 75% and 100% load. Emission records will be maintained for NOx and CO during startup and shutdown while firing natural gas or fuel oil, in order to establish SUSD emission limits for the combustion turbine.

During periods of start-up, shutdown, maintenance, or emergency, the provisions of 6 NYCRR Part 201-1.4 and 1.5 apply.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 60: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 60.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):
CAS No: 0NY100-00-0 HAP

Item 60.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



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

Monitoring Description:

OIL FIRING IS LIMITED TO A TOTAL OF
1,080 HOURS DURING ANY CONTINUOUS 12 MONTH
PERIOD. RECORDS OF OIL FIRING WILL BE
KEPT ON-SITE FOR FIVE YEARS.

Process Material: FUEL OIL

Parameter Monitored: FUEL OIL

Upper Permit Limit: 1080 hours per year

Reference Test Method: TBD

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 61: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 61.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

CAS No: 0NY075-00-0 PARTICULATES

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 34.1 pounds per hour

Reference Test Method: RM 202, 201A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 62: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 62.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

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

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE CONTINUOUS RECORDING OF NATURAL GAS USAGE, WITH HEAT INPUT CORRESPONDING TO THE HIGHER HEATING VALUE OF THE FUEL. BASED ON ANALYTICAL DATA COLLECTED FOR A ONE YEAR PERIOD BY ATHENS GENERATING COMPANY THE NATURAL GAS MEETS THE DEFINITION OF "PIPELINE NATURAL GAS" WITH A SULFUR CONTENT BELOW 0.5 GRAINS/100 SCF AS DEFINED IN 40 CFR 72.2. AS A RESULT SULFUR DIOXIDE EMISSIONS WILL BE CALCULATED USING 0.0006 LB/MMBTU, IN ACCORDANCE WITH 40 CFR 75, APPENDIX D, SECTION 2.3.1.1. ATHENS GENERATING WILL EITHER PERFORM AN ANNUAL SULFUR CONTENT ANALYSIS OR OBTAIN SUCH AN ANALYSIS FROM THE GAS SUPPLIER.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0006 pounds per million Btus

Reference Test Method: APPENDIX D

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 63: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 63.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

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

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 101.9 pounds per hour

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Condition 64: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 64.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

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

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE HIGHER HEATING VALUE OF THE NATURAL GAS. A CEMS IS USED TO MONITOR EMISSIONS AT THE GAS TURBINE EXHUAUST STACK. EMISSION LIMIT IS 170.2 LBS/HR AT THE MINIMUM 75% LOAD. THE CARBON MONOXIDE EMISSION LIMITS FOR THE TURBINE LOADS BETWEEN 75 AN 100% SHALL BE DETERMINED BY LINEAR INTERPOLATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE INFRARED

Upper Permit Limit: 170.2 pounds per hour

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Condition 65: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 65.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

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

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 23.4 pounds per hour

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 66.1:

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

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):
CAS No: 0NY075-00-5 PM-10
CAS No: 0NY075-00-0 PARTICULATES

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 0.011 pounds per million Btus



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Reference Test Method: RM 202 RM 201A
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 67: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 67.1:

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

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
EMISSION LIMIT IS A DISCRETE ONE HOUR
AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE DISTILLATE FUEL OIL. A CEMS IS

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



USED TO MONITOR EMISSIONS AT THE GAS
TURBINE STACK

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 42.3 pounds per hour

Reference Test Method: CTM-027

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 68: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 68.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HIGHER HEATING
VALUE OF THE NATURAL GAS. A CEMS IS USED
TO MONITOR EMISSIONS AT THE GAS TURBINE
EXHUAUST STACK. EMISSION LIMIT IS 105.0
LBS/HR AT 100% LOAD.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

INFRARED

Upper Permit Limit: 105.0 pounds per hour
Reference Test Method: RM-10
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 69: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 69.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

EMISSION LIMIT IS A DISCRETE ONE HOUR
AVERAGE BASED ON THE HEAT INPUT

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE NATURAL GAS. A CEMS IS USED TO
MONITOR EMISSIONS AT THE GAS TURBINE
STACK.

Manufacturer Name/Model Number: ROSEMOUNT 951C
Upper Permit Limit: 10.0 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: CTM-027
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 70: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 70.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

CAS No: 0NY075-00-0 PARTICULATES



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Item 70.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 154.0 pounds per hour

Reference Test Method: RM-201A,202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 71: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 71.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

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

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A THREE HOUR BLOCK
AVERAGE BASED ON THE HIGHER HEATING VALUE
OF THE FUEL. A CEMS IS USED TO MONITOR
EMISSIONS AT THE GAS TURBINE EXHAUST
STACK

Manufacturer Name/Model Number: ROSEMOUNT MODEL 951C

Upper Permit Limit: 2.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-20/7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 72: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 72.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BD

Emission Unit: U-00001 Emission Point: 00001
Process: 1MD

Emission Unit: U-00002 Emission Point: 00002
Process: 2BD

Emission Unit: U-00002 Emission Point: 00002
Process: 2MD

Emission Unit: U-00003 Emission Point: 00003
Process: 3BD



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003 Emission Point: 00003
Process: 3MD

Regulated Contaminant(s):
CAS No: 007664-93-9 SULFURIC ACID

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 0.008 pounds per million Btus
Reference Test Method: RM-8
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 73: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 73.1:

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

Emission Unit: U-00001

Emission Unit: U-00002

Emission Unit: U-00003

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
ALL THREE TURBINES SHALL BE ALLOWED TO



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Permit ID: 4-1922-00055/00005

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OPERATE SIMULTANEOUSLY. EACH TURBINE SHALL OPERATE AT OR ABOVE 75% OF ITS BASE LOAD)BASE LOAD=245 MEGAWATTS).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 74: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 74.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001

Process: 1MD

Emission Unit: U-00002 Emission Point: 00002

Process: 2MD

Emission Unit: U-00003 Emission Point: 00003

Process: 3MD

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE BASED ON THE HIGHER HEATING VALUE OF THE DISTILLATE FUEL OIL. A CEMS IS USED TO MONITOR EMISSIONS AT THE GAS TURBINE EXHAUST STACK. EMISSION LIMIT IS 92 PPM AT THE MINIMUM 75% LOAD. THE CARBON MONOXIDE EMISSION LIMITS FOR THE TURBINE LOADS BETWEEN 75 AN 100% SHALL BE DETERMINED BY LINEAR INTERPOLATION.



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 6E NON-DISPERSIVE INFRARED

Upper Permit Limit: 92.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: RM-10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 75: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 75.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00005

Emission Unit: U-00006

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE OPERATION OF EACH ENGINE SHALL NOT EXCEED 500 HOURS. A OPERATING LOG SHALL DEMONSTRATE THAT EACH ENGINE DID NOT EXCEED THE YEARLY HOURLY LIMIT.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 76: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Item 76.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

EMISSION LIMIT IS A DISCRETE ONE HOUR
AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE NATURAL GAS. A CEMS IS USED TO
MONITOR EMISSIONS AT THE GAS TURBINE
STACK.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 42.3 pounds per hour

Reference Test Method: CTM-027

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Condition 77: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 77.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG

Regulated Contaminant(s):
CAS No: 007664-93-9 SULFURIC ACID

Item 77.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE BASED ON THE HEAT INPUT
CORRESPONDING TO THE HIGHER HEATING VALUE
OF THE FUEL.

Upper Permit Limit: 2.8 pounds per hour

Reference Test Method: RM-8

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.



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Facility DEC ID: 4192200055

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

Condition 78: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 78.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

ATHENS GENERATING IS PROPOSING A FUEL
SULFUR LIMIT OF 0.05 PERCENT BY WEIGHT.
FOR FUEL OIL, USING ONE OF THE TOTAL
SULFUR SAMPLING OPTIONS AND THE
ASSOCIATED SAMPLING FREQUENCY DESCRIBED
IN SECTIONS 2.2.3, 2.2.4.1, 2.2.4.2, AND
2.2.4.3 OF APPENDIX D TO PART 75.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.05 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 79: EPA Region 2 address.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 79.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant



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to this part shall be submitted in duplicate to the following address:

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

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

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

**Condition 80: Date of construction notification - If a COM is not used.
Effective between the dates of 01/24/2007 and 01/23/2012**

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

Item 80.1:

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;
- 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.

Condition 81: Recordkeeping requirements.



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Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 81.1:

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

Condition 82: Excess emissions report.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 82.1:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

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

Condition 83: Excess emissions report.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 83.1:

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 84: Facility files for subject sources.

Effective between the dates of 01/24/2007 and 01/23/2012

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



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Item 84.1:

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

Condition 85: Performance testing timeline.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 85.1:

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

Condition 86: Performance Test Methods - Waiver

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 86.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

Condition 87: Required performance test information.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 87.1:

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

Condition 88: Prior notice.

Effective between the dates of 01/24/2007 and 01/23/2012

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



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Item 88.1:

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

Condition 89: Performance testing facilities.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 89.1:

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

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

Condition 90: Number of required tests.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 90.1:

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

Condition 91: Availability of information.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 91.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 92: Opacity standard compliance testing.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A

Item 92.1:

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



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

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

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

Condition 93: Circumvention.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 93.1:

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

Condition 94: Monitoring requirements.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

Item 94.1:

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

Condition 95: Modifications.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 95.1:

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

Condition 96: Reconstruction

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 96.1:

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



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- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 97: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.334(h)(3), NSPS Subpart GG

Item 97.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001
Process: 1BG

Emission Unit: U-00001 Emission Point: 00001
Process: 1MG

Emission Unit: U-00002 Emission Point: 00002
Process: 2BG

Emission Unit: U-00002 Emission Point: 00002
Process: 2MG

Emission Unit: U-00003 Emission Point: 00003
Process: 3BG

Emission Unit: U-00003 Emission Point: 00003
Process: 3MG



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 97.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

ATHENS GENERATING HAS SAMPLED THE NATURAL GAS SULFUR CONTENT FOR A ONE YEAR PERIOD, WHICH HAS ESTABLISHED THAT NATURAL GAS MEETS THE DEFINITION OF "PIPELINE NATURAL GAS" WITH A SULFUR CONTENT BELOW 0.5 GRAINS/100 SCF AS DEFINED IN 40 CFR 72.2. AS A RESULT SULFUR DIOXIDE EMISSIONS WILL BE CALCULATED USING 0.0006 LB/MMBTU, IN ACCORDANCE WITH 40 CFR 75, APPENDIX D, SECTION 2.3.1.1. ATHENS GENERATING WILL PREFORM MONTHLY EMISSIONS CALCULATIONS AT THE FACILITY. ATHENS GENERATING WILL EITHER PERFORM AN ANNUAL SULFUR CONTENT ANALYSIS OR OBTAIN SUCH AN ANALYSIS FROM THE GAS SUPPLIER.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 grains per 100 dscf

Reference Test Method: APPENDIX D

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 98: Facility Subject to Title IV Acid Rain Regulations and Permitting Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 72

Item 98.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 99: Emission Point Definition By Emission Unit
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 99.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 180

Diameter (in.): 228

NYTMN (km.): 4679.8

NYTME (km.): 594.6

Building: TB

Item 99.2:

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 180

Diameter (in.): 228

NYTMN (km.): 4679.8

NYTME (km.): 594.6

Building: TB

Item 99.3:

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

Emission Unit: U-00003

Emission Point: 00003

Height (ft.): 180

Diameter (in.): 228

NYTMN (km.): 4679.8

NYTME (km.): 594.6

Building: TB

Item 99.4:

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

Emission Unit: U-00004

Emission Point: 00004

Height (ft.): 32

Diameter (in.): 3

NYTMN (km.): 4679.8

NYTME (km.): 594.6

Item 99.5:

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

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Facility DEC ID: 4192200055



Emission Unit: U-00005

Emission Point: 00005

Height (ft.): 15

Diameter (in.): 14

NYTMN (km.): 4679.8

NYTME (km.): 594.6

Item 99.6:

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

Emission Unit: U-00006

Emission Point: 00006

Height (ft.): 13

Diameter (in.): 6

NYTMN (km.): 4679.8

NYTME (km.): 594.6

Condition 100: Process Definition By Emission Unit

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 100.1:

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

Emission Unit: U-00001

Process: 1BD

Source Classification Code: 2-01-001-01

Process Description:

Westinghouse Model 501G combustion Turbine firing low sulfur (<0.05%) distillate fuel oil with a maximum input rating of 2,940 MMBtu/hr. NOx emissions are controlled with water or steam injection and SCR using aqueous ammonia injection. Base load operation, rated at 245 MW at ISO conditions.

Emission Source/Control: 00CT1 - Combustion

Design Capacity: 245 megawatt

Item 100.2:

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

Emission Unit: U-00001

Process: 1BG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING NATURAL GAS WITH MAXIMUM INPUT RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH DRY LOW NOX COMBUSTION

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

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TECHNOLOGY AND SCR USING AQUEOUS AMMONIA
INJECTION. BASE LOAD OPERATION, RATED 245
MW AT ISO CONDITIONS.

Emission Source/Control: 00CT1 - Combustion
Design Capacity: 245 megawatt

Item 100.3:

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

Emission Unit: U-00001
Process: 1MD
Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL
OIL WITH MAXIMUM INPUT RATING OF 2940
MMBTU/HR. NOX EMISSIONS ARE CONTROLLED
WITH WATER OR STEAM INJECTION AND SCR USING
AQUEOUS AMMONIA INJECTION. MINIMUM
OPERATION LOAD IS 75%.

Emission Source/Control: 00CT1 - Combustion
Design Capacity: 245 megawatt

Item 100.4:

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

Emission Unit: U-00001
Process: 1MG
Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING NATURAL GAS WITH MAXIMUM INPUT
RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE
CONTROLLED WITH DRY LOW-NOX COMBUSTION
TECHNOLOGY AND SCR USING AQUEOUS AMMONIA
INJECTION. MINIMUM OPERATION LOAD IS 75%.

Emission Source/Control: 00CT1 - Combustion
Design Capacity: 245 megawatt

Item 100.5:

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

Emission Unit: U-00001
Process: 1SD
Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL OIL WITH MAXIMUM INPUT RATING OF 2940 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH WATER OR STEAM INJECTION AND SCR USING AQUEOUS AMMONIA INJECTION. START-UP AND SHUT-D OWN OPERATION, AT OPERATION LOADS LESS THAN 75%.

Emission Source/Control: 00CT1 - Combustion

Design Capacity: 245 megawatt

Item 100.6:

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

Emission Unit: U-00001

Process: 1SG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING NATURAL GAS WITH MAXIMUM INPUT RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH DRY LOW-NOX COMBUSTION TECHNOLOGY AND SCR USING AQUEOUS AMMONIA INJECTION. START-UP AND SHUT-DOWN OPERATION, AT O PERATION LOADS LESS THAN 75%.

Emission Source/Control: 00CT1 - Combustion

Design Capacity: 245 megawatt

Item 100.7:

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

Emission Unit: U-00002

Process: 2BD

Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL OIL WITH MAXIMUM INPUT STING OF 2940 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH WATER/STEAM INJECTION AND SCR USING AQUEOUS AMMONIA INJECTION. BASE LOAD OPERATION, RA TED 245 MW AT ISO CONDITIONS.

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 245 megawatt

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Item 100.8:

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

Emission Unit: U-00002

Process: 2BG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING NATURAL GAS WITH MAXIMUM INPUT RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH DRY LOW-NOX COMBUSTION TECHNOLOGY AND SCR USING AQUEOUS AMMONIA INJECTION. BASE LOAD OPERATION, RATED 245 MW AT ISO CONDITIONS.

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 245 megawatt

Item 100.9:

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

Emission Unit: U-00002

Process: 2MD

Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL OIL WITH MAXIMUM INPUT RATING OF 2940 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH WATER OR STEAM INJECTION AND SCR USING AQUEOUS AMMONIA INJECTION. MINIMUM OPERATION LOAD IS 75%.

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 245 megawatt

Item 100.10:

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

Emission Unit: U-00002

Process: 2MG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501g COMBUSTION TURBINE FIRING NATURAL GAS WITH MAXIMUM INPUT RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH DRY LOW-NOX COMBUSTION TECHNOLOGY AND SCR USING AQUEOUS AMMONIA INJECTION. MINIMUM OPERATION LOAD IS 75%.



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Facility DEC ID: 4192200055

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 245 megawatt

Item 100.11:

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

Emission Unit: U-00002

Process: 2SD

Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING LOW SULFUR (0.05%) DISTILLATE FUEL
OIL WITH MAXIMUM INPUT RATING OF 2940
MMBTU/HR. NOX EMISSIONS ARE CONTROLLED
WITH WATER OR STEAM INJECTION AND SCR USING
AQUEOUS AMMONIA INJECTION. START-UP AND
SHUT-DO WN OPERATION, AT OPERATION LOADS
LESS THAN 75%.

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 245 megawatt

Item 100.12:

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

Emission Unit: U-00002

Process: 2SG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING NATURAL GAS WITH MAXIMUM INPUT
RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE
CONTROLLED WITH DRY LOW-NOX COMBUSTION
TECHNOLOGY AND SCR USING AQUEOUS AMMONIA
INJECTION. START-UP AND SHUT-DOWN
OPERATION, AT O PERATION LOADS LESS THAN
75%.

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 245 megawatt

Item 100.13:

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

Emission Unit: U-00003

Process: 3BD

Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

OIL WITH MAXIMUM INPUT RATING OF 2940 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH WATER/STEAM INJECTION AND SCR USING AQUEOUS AMMONIA INJECTION. BASE LOAD OPERATION RATED AT 245 MW AT ISO CONDITIONS.

Emission Source/Control: 00CT3 - Combustion

Design Capacity: 245 megawatt

Item 100.14:

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

Emission Unit: U-00003

Process: 3BG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING NATURAL GAS WITH MAXIMUM INPUT RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH DRY LOW-NOX COMBUSTION TECHNOLOGY AND SCR USING AQUEOUS AMMONIA INJECTION. BASE LOAD OPERATION, RATED AT 245 MW AT ISO CONDITIONS.

Emission Source/Control: 00CT3 - Combustion

Design Capacity: 245 megawatt

Item 100.15:

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

Emission Unit: U-00003

Process: 3MD

Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL OIL WITH MAXIMUM INPUT RATING OF 2940 MMBTU/HR. NOX EMISSIONS ARE CONTROLLED WITH WATER/STEAM INJECTION AND SCR USING AQUEOUS AMMONIA INJECTION. MINIMUM OPERATION LOAD IS 75%.

Emission Source/Control: 00CT3 - Combustion

Design Capacity: 245 megawatt

Item 100.16:

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



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Emission Unit: U-00003

Process: 3MG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING NATURAL GAS WITH MAXIMUM INPUT
RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE
CONTROLLED WITH DRY LOW-NOX COMBUSTION
TECHNOLOGY AND SCR USING AQUEOUS AMMONIA
INJECTION. MINIMUM OPERATION LOAD IS 75%.

Emission Source/Control: 00CT3 - Combustion

Design Capacity: 245 megawatt

Item 100.17:

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

Emission Unit: U-00003

Process: 3SD

Source Classification Code: 2-01-001-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING LOW SULFUR (<0.05%) DISTILLATE FUEL
OIL WITH MAXIMUM INPUT RATING OF 2940
MMBTU/HR. NOX EMISSIONS ARE CONTROLLED
WITH WATER OR STEAM INJECTION AND SCR USING
AQUEOUS AMMONIA INJECTION. START-UP AND
SHUT-DOWN OPERATION, AT OPERATION LOADS
LESS THAN 75%.

Emission Source/Control: 00CT3 - Combustion

Design Capacity: 245 megawatt

Item 100.18:

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

Emission Unit: U-00003

Process: 3SG

Source Classification Code: 2-01-002-01

Process Description:

WESTINGHOUSE MODEL 501G COMBUSTION TURBINE
FIRING NATURAL GAS WITH MAXIMUM INPUT
RATING OF 3100 MMBTU/HR. NOX EMISSIONS ARE
CONTROLLED WITH DRY LOW-NOX COMBUSTION
TECHNOLOGY AND SCR USING AQUEOUS AMMONIA
INJECTION. START-UP AND SHUT-DOWN
OPERATION, AT OPERATION LOADS LESS THAN
75%.

Emission Source/Control: 00CT3 - Combustion



New York State Department of Environmental Conservation

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Facility DEC ID: 4192200055

Design Capacity: 245 megawatt

Item 100.19:

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

Emission Unit: U-00004

Process: AST

Source Classification Code: 4-07-146-98

Process Description:

THREE 20,000 GALLON TANKS USED TO STORE AMMONIUM HYDROXIDE SOLUTION. THE MAXIMUM AMOUNT OF AMMONIUM HYDROXIDE STORED IS 54,000 GALLONS. AMMONIUM HYDROXIDE IS USED TO CONTROL NITROGEN OXIDES IN THE GAS TURBINE SELECTIVE CATALYTIC REDUCTION CONTROL SYSTEM S. THE TANK RELIEF VENTS ARE MAINTAINED AT 11.5 PSI TO REDUCE OR PREVENT THE RELEASE OF AMMONIA VAPORS.

Emission Source/Control: 0AST1 - Process

Design Capacity: 20 1000 gallons

Emission Source/Control: 0AST2 - Process

Design Capacity: 20 1000 gallons

Emission Source/Control: 0AST3 - Process

Design Capacity: 20 1000 gallons

Item 100.20:

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

Emission Unit: U-00005

Process: DEG

Source Classification Code: 2-02-001-02

Process Description:

DIESEL FIRED EMERGENCY GENERATOR, CATERPILLAR TYPE SR4B, WITH 3512B-LE ENGINE, RATED AT 1500 KW. MAXIMUM FUEL CONSUMPTION IS 112.7 GPH, WITH 500 GALLON DOUBLE WALL TANK WITH RUPTURE BASIN. MAXIMUM OPERATION IS 500 HOURS/YEAR.

Emission Source/Control: 00DEG - Combustion

Design Capacity: 1,500 kilowatts

Item 100.21:

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

Emission Unit: U-00006



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Process: DFP

Source Classification Code: 2-02-001-02

Process Description:

DIESEL EMERGENCY FIRE PUMP, DETROIT MODEL
JDFP-06WA, 6 CYLINDER, RATED AT 265 HP,
WITH MAXIMUM FUEL CONSUMPTION OF 13.98 GPH.
MAXIMUM OPERATION IS 500 HOURS/YEAR.

Emission Source/Control: 00DFP - Combustion

Design Capacity: 265 horsepower (electric)

Condition 101: Permit requirements (facilities commencing operation on or after 01/00)

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 101.1:

This Condition applies to Emission Unit: U-00001

Item 101.2: The NO_x authorized account representative of each NO_x budget unit shall submit to the Department a complete NO_x Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NO_x Budget unit commences operation.

Condition 102: Submissions to the Department.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 102.1:

This Condition applies to Emission Unit: U-00001

Item 102.2: Each submission under the NO_x Budget Trading Program shall be submitted, signed and certified by the NO_x authorized account representative for each NO_x Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NO_x authorized account representative.

Condition 103: Content of reports and compliance certifications.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 103.1:

This Condition applies to Emission Unit: U-00001

Item 103.2: The NO_x 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_x Budget emissions limitation for the control period covered by the report:

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Permit ID: 4-1922-00055/00005

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(1) Identification of each NOx Budget unit; and

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

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

Condition 104: Submission of NOx allowance transfers.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 104.1:

This Condition applies to Emission Unit: U-00001

Item 104.2: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 105: Requirements for installation, certification, and data accounting.



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Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 105.1:

This Condition applies to Emission Unit: U-00001

Item 105.2: 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 106: Requirements for recertification of monitoring systems.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 106.1:

This Condition applies to Emission Unit: U-00001

Item 106.2: 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 107: Out of control periods.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 107.1:



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This Condition applies to Emission Unit: U-00001

Item 107.2: 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 108: Alternate CEMs requirements.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 108.1:

This Condition applies to Emission Unit: U-00001

Item 108.2:

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

Condition 109: Applicability of General Provisions of 40 CFR 60 Subpart A

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 109.1:

This Condition applies to Emission Unit: U-00001

Item 109.2:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 110: Sulfur in fuel standard.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 110.1:

This Condition applies to Emission Unit: U-00001

Item 110.2:

No gas turbine shall fire a fuel with more than 0.80% sulfur content.

Condition 111: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.334(h)(3), NSPS Subpart GG

Item 111.1:



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The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 111.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of 40 CFR 60.334(h), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 112: Test methods and procedures for performance tests
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable Federal Requirement: 40CFR 60.335(a), NSPS Subpart GG

Item 112.1:

This Condition applies to Emission Unit: U-00001

Item 112.2:

The owner or operator shall conduct the performance tests required in §60.8, using either



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- (1) EPA Method 20,
- (2) ASTM D6522-00 (incorporated by reference, see §60.17), or
- (3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to 40 CFR 60, to determine NOX and diluent concentration.
- (4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.
- (5) Notwithstanding paragraph (4) above, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the conditions listed in 40 CFR 60.335(a)(5).

Condition 113: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 113.1:

This Condition applies to Emission Unit: U-00001
Process: 1BD

Item 113.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 116: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 116.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: 1BD

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Item 116.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 117: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 117.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 1BG

Item 117.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under



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§60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 114: CEMS
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 114.1:

This Condition applies to Emission Unit: U-00001
Process: 1MD

Item 114.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 118: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 118.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: 1MD

Item 118.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
For each affected unit required to continuously monitor



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parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 119: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 119.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 1MG

Item 119.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.



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

Condition 115: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 115.1:

This Condition applies to Emission Unit: U-00001
Process: 1SD

Item 115.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 120: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 120.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 120.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING IS PROPOSING TO EMPLOY
A NOX CEM FOR MONITORING AND REPORTING
EXCESS EMISSIONS. A DRAFT MONITORING
PLAN IS IN SUPPORT DOCUMENT NO. 8

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



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DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 121: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 72.9, Subpart A

Item 121.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 121.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR PART 72.9 LISTS THE REQUIREMENTS FOR PERMITS, MONITORING, SO2 ALLOWANCES, RECORDKEEPING AND REPORTING. SULFUR DIOXIDE EMISSIONS WILL BE CALCULATED HOURLY BASED ON FUEL USAGE AND SULFUR CONTENT IN ACCORDANCE WITH 40 CFR60 SUBPART GG, 40 CFR72 AND 40 CFR75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 122: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 75.11(d), Subpart B

Item 122.1:

The Compliance Certification activity will be performed for:



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Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 122.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING WILL MONITOR SO2
EMISSIONS IN ACCORDANCE WITH APPENDIX D
OF THIS PART.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

**Condition 123: Permit requirements (facilities commencing operation on or
after 01/00)**

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 123.1:

This Condition applies to Emission Unit: U-00002

Item 123.2: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

Condition 124: Submissions to the Department.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 124.1:

This Condition applies to Emission Unit: U-00002

Item 124.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.



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Condition 125: Content of reports and compliance certifications.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 125.1:

This Condition applies to Emission Unit: U-00002

Item 125.2: The NO_x 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_x Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NO_x Budget unit; and
- (2) In the compliance certification report the NO_x authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO_x Budget units at the source in compliance with the NO_x Budget Trading Program, whether each NO_x 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_x Budget Trading Program applicable to the unit, including:
 - (i) Whether the unit was operated in compliance with the NO_x 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_x emissions to the unit, in accordance with Subpart 204-8;
 - (iii) Whether all the NO_x emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
 - (iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
 - (v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Condition 126: Submission of NO_x allowance transfers.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 126.1:

This Condition applies to Emission Unit: U-00002



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Item 126.2: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 127: Requirements for installation, certification, and data accounting.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 127.1:

This Condition applies to Emission Unit: U-00002

Item 127.2: 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 128: Requirements for recertification of monitoring systems.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 128.1:

This Condition applies to Emission Unit: U-00002

Item 128.2: 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,



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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 129: Out of control periods.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 129.1:

This Condition applies to Emission Unit: U-00002

Item 129.2: 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 130: Alternate CEMs requirements.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 130.1:

This Condition applies to Emission Unit: U-00002

Item 130.2:

The owner/operator shall measure NO_x emissions with a continuous emissions monitoring system which follows the procedures in 40 CFR Part 75.

Condition 131: Applicability of General Provisions of 40 CFR 60 Subpart A

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 131.1:

This Condition applies to Emission Unit: U-00002

Item 131.2:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 132: Sulfur in fuel standard.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 132.1:



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This Condition applies to Emission Unit: U-00002

Item 132.2:

No gas turbine shall fire a fuel with more than 0.80% sulfur content.

Condition 133: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.334(h)(3), NSPS Subpart GG

Item 133.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 133.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of 40 CFR 60.334(h), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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**Condition 134: Test methods and procedures for performance tests
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable Federal Requirement: 40CFR 60.335(a), NSPS Subpart GG

Item 134.1:

This Condition applies to Emission Unit: U-00002

Item 134.2:

The owner or operator shall conduct the performance tests required in §60.8, using either

- (1) EPA Method 20,
- (2) ASTM D6522-00 (incorporated by reference, see §60.17), or
- (3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to 40 CFR 60, to determine NOX and diluent concentration.
- (4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.
- (5) Notwithstanding paragraph (4) above, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the conditions listed in 40 CFR 60.335(a)(5).

Condition 135: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 135.1:

This Condition applies to Emission Unit: U-00002

Process: 2BD

Item 135.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

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Condition 138: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 138.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Process: 2BD

Item 138.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 139: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 139.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Process: 2BG

Item 139.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 136: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 136.1:

This Condition applies to Emission Unit: U-00002

Process: 2MD

Item 136.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 140: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 140.1:

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The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Process: 2MD

Item 140.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 141: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 141.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Process: 2MG

Item 141.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of

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excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 137: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 137.1:

This Condition applies to Emission Unit: U-00002
Process: 2SD

Item 137.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 142: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 142.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

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



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Item 142.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING IS PROPOSING TO EMPLOY
A NOX CEM FOR MONITORING AND REPORTING
EXCESS EMISSIONS. A DRAFT MONITORING
PLAN IS IN SUPPORT DOCUMENT NO. 8

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 143: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 72.9, Subpart A

Item 143.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 143.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR PART 72.9 LISTS THE REQUIREMENTS
FOR PERMITS, MONITORING, SO2 ALLOWANCES,
RECORDKEEPING AND REPORTING. SULFUR
DIOXIDE EMISSIONS WILL BE CALCULATED
HOURLY BASED ON FUEL USAGE AND SULFUR
CONTENT IN ACCORDANCE WITH 40 CFR60
SUBPART GG, 40 CFR72 AND 40 CFR75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.



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Facility DEC ID: 4192200055

The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 144: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 75.11(d), Subpart B

Item 144.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

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

Item 144.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING WILL MONITOR SO2
EMISSIONS IN ACCORDANCE WITH APPENDIX D
OF THIS PART.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

**Condition 145: Permit requirements (facilities commencing operation on or
after 01/00)**

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 145.1:

This Condition applies to Emission Unit: U-00003

Item 145.2: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NOx Budget unit commences operation.

Condition 146: Submissions to the Department.

Effective between the dates of 01/24/2007 and 01/23/2012



Applicable Federal Requirement: 6NYCRR 204-2.1

Item 146.1:

This Condition applies to Emission Unit: U-00003

Item 146.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 147: Content of reports and compliance certifications.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 147.1:

This Condition applies to Emission Unit: U-00003

Item 147.2: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NOx Budget unit; and
- (2) In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx Budget units at the source in compliance with the NOx Budget Trading Program, whether each NOx Budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx Budget Trading Program applicable to the unit, including:
 - (i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
 - (ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
 - (iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
 - (iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
 - (v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined



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subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Condition 148: Submission of NO_x allowance transfers.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 148.1:

This Condition applies to Emission Unit: U-00003

Item 148.2: The NO_x authorized account representatives seeking recordation of a NO_x allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NO_x allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 149: Requirements for installation, certification, and data accounting.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 149.1:

This Condition applies to Emission Unit: U-00003

Item 149.2: The owner or operator of each NO_x Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO_x Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

- (1) Install all monitoring systems required under this Subpart for monitoring NO_x mass. This includes all systems required to monitor NO_x emission rate, NO_x concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NO_x 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 150: Requirements for recertification of monitoring systems.
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.2

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Item 150.1:

This Condition applies to Emission Unit: U-00003

Item 150.2: 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 151: Out of control periods.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 151.1:

This Condition applies to Emission Unit: U-00003

Item 151.2: 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 152: Alternate CEMs requirements.

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 152.1:

This Condition applies to Emission Unit: U-00003

Item 152.2:

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

Condition 153: Applicability of General Provisions of 40 CFR 60 Subpart A

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 153.1:

This Condition applies to Emission Unit: U-00003

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Item 153.2:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 154: Sulfur in fuel standard.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 154.1:

This Condition applies to Emission Unit: U-00003

Item 154.2:

No gas turbine shall fire a fuel with more than 0.80% sulfur content.

Condition 155: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 60.334(h)(3), NSPS Subpart GG

Item 155.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Item 155.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of 40 CFR 60.334(h), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

- (i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less;
- or

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(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 156: Test methods and procedures for performance tests
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable Federal Requirement: 40CFR 60.335(a), NSPS Subpart GG

Item 156.1:

This Condition applies to Emission Unit: U-00003

Item 156.2:

The owner or operator shall conduct the performance tests required in §60.8, using either

- (1) EPA Method 20,
- (2) ASTM D6522-00 (incorporated by reference, see §60.17), or
- (3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to 40 CFR 60, to determine NOX and diluent concentration.
- (4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.
- (5) Notwithstanding paragraph (4) above, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the conditions listed in 40 CFR 60.335(a)(5).

Condition 157: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 157.1:

This Condition applies to Emission Unit: U-00003
Process: 3BD



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Item 157.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 160: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 160.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Process: 3BD

Item 160.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 161: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 161.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Process: 3BG

Item 161.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 158: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 158.1:

This Condition applies to Emission Unit: U-00003

Process: 3MD

Item 158.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2



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hourly averages to equivalent O₂ concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O₂, or by using the CO₂ readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 162: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 162.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Process: 3MD

Item 162.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 163: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 163.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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Process: 3MG

Item 163.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including start-up, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60 Subpart GG-334(j)(1) - (5).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 159: CEMS

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 159.1:

This Condition applies to Emission Unit: U-00003

Process: 3SD

Item 159.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 164: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 164.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

Item 164.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING IS PROPOSING TO EMPLOY
A NOX CEM FOR MONITORING AND REPORTING
EXCESS EMISSIONS. A DRAFT MONITORING
PLAN IS IN SUPPORT DOCUMENT NO. 8.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 165: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 72.9, Subpart A

Item 165.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 165.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR PART 72.9 LISTS THE REQUIREMENTS



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FOR PERMITS, MONITORING, SO₂ ALLOWANCES,
RECORDKEEPING AND REPORTING. SULFUR
DIOXIDE EMISSIONS WILL BE CALCULATED
HOURLY BASED ON FUEL USAGE AND SULFUR
CONTENT IN ACCORDANCE WITH 40 CFR60
SUBPART GG, 40 CFR72 AND 40 CFR75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 166: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 75.11(d), Subpart B

Item 166.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 166.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ATHENS GENERATING WILL MONITOR SO₂
EMISSIONS IN ACCORDANCE WITH APPENDIX D
OF THIS PART.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 167: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

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Item 167.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 167.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

AMMONIUM HYDROXIDE (AMMONIA) EMISSIONS
ARE CONTROLLED BY INSTALLATION OF A
PRESSURIZED STORAGE TANK AND A VAPOR
RECOVERY SYSTEM (CLOSED LOOP DELIVERY
SYSTEM) TO BE OPERATED DURING FILLING OF
THE AMMONIUM HYDROXIDE STORAGE TANKS.

Parameter Monitored: PRESSURE

Lower Permit Limit: -14.56 pounds per square inch gauge

Upper Permit Limit: 15.0 pounds per square inch gauge

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 168: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 168.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 168.2:



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Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 64.4 pounds per hour

Reference Test Method: RM-20/7E

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 169: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 169.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 169.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.



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Upper Permit Limit: 1.7 pounds per hour
Reference Test Method: RM-25A with Methane/Ethane backout
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 170: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 170.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: 00005

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

Item 170.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 7.7 pounds per hour
Reference Test Method: RM-10
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).



New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Condition 171: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 171.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: 00005

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 171.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 1.1 pounds per hour

Reference Test Method: RM-6C/19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 172: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 172.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: 00005

Regulated Contaminant(s):

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



CAS No: 0NY075-00-0 PARTICULATES

Item 172.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 1.9 pounds per hour

Reference Test Method: RM-201A,202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 173: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 173.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: 00005

Regulated Contaminant(s):

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

Item 173.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL



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Facility DEC ID: 4192200055

COMPLIANCE TEST . THE UNIT WILL BE
MAINTAINED TO MANUFACTURE'S OPERATING
SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 64.4 pounds per hour
Reference Test Method: RM-20/7E
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 174: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 174.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: 00005

Regulated Contaminant(s):
CAS No: 0NY075-00-5 PM-10

Item 174.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THE EMISSION LIMIT IS A DISCRETE ONE
HOUR AVERAGE AT DESIGN OPERATING
CONDITIONS. THE UNIT WILL DEMONSTRATE
COMPLIANCE WITH A ONETIME, INITIAL
COMPLIANCE TEST . THE UNIT WILL BE
MAINTAINED TO MANUFACTURE'S OPERATING
SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 1.9 pounds per hour
Reference Test Method: RM-201A,202
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 175: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 175.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 175.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 0.5 pounds per hour
Reference Test Method: RM-25A with Methane/Ethane backout
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 176: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 6NYCRR 231-2.5

Item 176.1:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 176.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 18.0 pounds per hour

Reference Test Method: RM-20/7E

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 177: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 177.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 177.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE



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Permit ID: 4-1922-00055/00005

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HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 4.1 pounds per hour

Reference Test Method: RM-10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 178: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 178.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Regulated Contaminant(s):

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

Item 178.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 18.0 pounds per hour

Reference Test Method: RM-20/7E

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 179: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 179.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Regulated Contaminant(s):
CAS No: 0NY075-00-5 PM-10

Item 179.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 0.5 pounds per hour
Reference Test Method: RM-201A,202
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 180: Compliance Certification
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

Item 180.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 180.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 0.3 pounds per hour

Reference Test Method: RM-6C/19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 181: Compliance Certification

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 181.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 181.2:

Compliance Certification shall include the following monitoring:

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Permit ID: 4-1922-00055/00005

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE EMISSION LIMIT IS A DISCRETE ONE HOUR AVERAGE AT DESIGN OPERATING CONDITIONS. THE UNIT WILL DEMONSTRATE COMPLIANCE WITH A ONETIME, INITIAL COMPLIANCE TEST . THE UNIT WILL BE MAINTAINED TO MANUFACTURE'S OPERATING SPECIFICATIONS WITH AN ANNUAL TUNE-UP.

Upper Permit Limit: 0.5 pounds per hour

Reference Test Method: RM-201A,202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 182: Contaminant List
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: ECL 19-0301

Item 182.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this

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permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 000050-00-0

Name: FORMALDEHYDE

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 007664-93-9

Name: SULFURIC ACID

CAS No: 0NY998-00-0

Name: VOC

Condition 183: Unavoidable noncompliance and violations

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 201-1.4

Item 183.1:

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

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued



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for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

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

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

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

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

Condition 184: Air pollution prohibited

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 211.2

Item 184.1:

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.

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

**Condition 185: Applicable Units, nameplate capacity of 25 MWe or greater
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable State Requirement: 6NYCRR 237-1.4(a)

Item 185.1:

This Condition applies to Emission Unit: U-00001

Item 185.2:

Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NOx budget unit, and any source that includes one or more such units shall be a NOx budget source, subject to the requirements of NYCRR 237

Condition 186: Permit Requirements

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(a)

Item 186.1:

This Condition applies to Emission Unit: U-00001

Item 186.2:

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

Condition 187: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(c)

Item 187.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055



Item 187.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NO_x budget source and each NO_x budget unit at the source shall hold NO_x allowances available for compliance deductions under NYCRR 237-6.5, as of the NO_x allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_x emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO_x emitted in excess of the NO_x budget emissions limitation shall constitute a separate violation of applicable State law.

A NO_x budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NO_x allowances shall be held in, deducted from, or transferred among NO_x Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NO_x allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NO_x allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NO_x allowance was allocated.

A NO_x allowance allocated by the department under the Acid Deposition Reduction (ADR) NO_x Budget Trading Program is a limited authorization to emit one ton of NO_x in accordance with the ADR NO_x Budget Trading Program. No provision of the ADR NO_x Budget Trading Program, the NO_x budget permit application, or the NO_x budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NO_x allowance allocated by the department under the ADR NO_x Budget Trading Program does not constitute a property right.



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Permit ID: 4-1922-00055/00005

Facility DEC ID: 4192200055

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 188: Recordkeeping and Reporting Requirements
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 188.1:

This Condition applies to Emission Unit: U-00001

Item 188.2:

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

Condition 189: Liability

Effective between the dates of 01/24/2007 and 01/23/2012

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Permit ID: 4-1922-00055/00005

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Applicable State Requirement: 6NYCRR 237-1.6(f)

Item 189.1:

This Condition applies to Emission Unit: U-00001

Item 189.2:

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 190: Effect on other Authorities

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(g)

Item 190.1:

This Condition applies to Emission Unit: U-00001

Item 190.2:

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 191: Authorization and responsibilities of the NOx authorized account representative

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-2

Item 191.1:

This Condition applies to Emission Unit: U-00001

Item 191.2:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.



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The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 192: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-4.1

Item 192.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 192.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction

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(ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NOx budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 193: Submission of NOx allowance transfers
Effective between the dates of 01/24/2007 and 01/23/2012**

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Applicable State Requirement: 6NYCRR 237-7.1

Item 193.1:

This Condition applies to Emission Unit: U-00001

Item 193.2:

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

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

**Condition 194: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable State Requirement: 6NYCRR 237-8

Item 194.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 194.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit



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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 195: Applicability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.4

Item 195.1:

This Condition applies to Emission Unit: U-00001

Item 195.2:

The administrator has determined this to be an affected SO2 budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO2 budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO2 budget unit.

Condition 196: Permit Requirements to be included in new permits or units.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(a)

Item 196.1:

This Condition applies to Emission Unit: U-00001

Item 196.2:

The SO2 authorized account representative of each SO2 budget unit shall:

(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2; which states the later of October 1, 2004 or 12 months before the date on which the SO2 budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO2 budget permit application and issue or deny an SO2 budget permit.

The owners and operators of each SO2 budget unit shall have an SO2 budget permit and operate the unit in compliance with such SO2 budget permit.



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Condition 197: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(c)

Item 197.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 197.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO₂ budget source and each SO₂ budget unit at the source shall hold SO₂ allowances available for compliance deductions under NYCRR 238-6.5, as of the SO₂ allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO₂ budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO₂ budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO₂ allowances shall be held in, deducted from, or transferred among SO₂ Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO₂ allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO₂ allowance was allocated.

An SO₂ allowance allocated by the department under the ADR SO₂ budget Trading Program is a limited authorization to



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emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program. No provision of the ADR SO₂ Budget Trading Program, the SO₂ budget permit application, or the SO₂ budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO₂ allowance allocated by the department under the ADR SO₂ Budget Trading Program does not constitute a property right.

The owners and operators of an SO₂ budget unit that has excess emissions in any control period shall:
Forfeit the SO₂ allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 198: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 198.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 198.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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5 years, in writing by the department.

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 199: Liability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(f)

Item 199.1:

This Condition applies to Emission Unit: U-00001



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Item 199.2:

No permit revision shall excuse any violation of the requirements of the ADR SO₂ Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget source (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget source) shall also apply to the owners and operators of such source and of the SO₂ budget units at the source;

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget unit (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO₂ authorized account representative of one SO₂ budget unit shall not be liable for any violation by any other SO₂ budget unit of which they are not owners or operators or the SO₂ authorized account representative and that is located at a source of which they are not owners or operators or the SO₂ authorized account representative.

Condition 200: Effect on Other Authorities

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(g)

Item 200.1:

This Condition applies to Emission Unit: U-00001

Item 200.2:

No provision of the ADR SO₂ Budget Trading Program, an SO₂ budget permit application, or an SO₂ budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO₂ authorized account representative of an SO₂ budget source or SO₂ budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 201: Submissions to the Department

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-2.1

Item 201.1:

This Condition applies to Emission Unit: U-00001

Item 201.2:

Each submission under the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program shall be submitted, signed, and certified by the SO₂ authorized account representative for each SO₂ budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO₂ authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO₂ budget sources or SO₂ budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and



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all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

Condition 202: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-4.1

Item 202.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 202.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO₂ budget units at a source are subject to the SO₂ budget emissions limitation, the SO₂ authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO₂ authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO₂ budget emissions limitation for the control period covered by the report:

- (1) identification of each SO₂ budget unit;
- (2) except in instances when the SO₂ budget unit seeks to use future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO₂ authorized account representative's option, the serial numbers of the SO₂ allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO₂ authorized account representative's option,

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for units sharing a common stack and having SO₂ emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO₂ allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

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

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

In the compliance certification report, the SO₂ authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO₂ budget units at the source in compliance with the ADR SO₂ Budget Trading Program, whether each SO₂ budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO₂ Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO₂ budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO₂ emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO₂ emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the



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unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 203: Submission of SO2 allowance transfers
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-7.1

Item 203.1:

This Condition applies to Emission Unit: U-00001

Item 203.2:

The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO2 allowance to be transferred; and
- (c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 204: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-8

Item 204.1:

The Compliance Demonstration activity will be performed for:

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Emission Unit: U-00001

Item 204.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO₂ authorized account representative of an SO₂ budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO₂ budget unit," and "SO₂ authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 205: Applicable Units, nameplate capacity of 25 MWe or greater Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.4(a)

Item 205.1:

This Condition applies to Emission Unit: U-00002

Item 205.2:

Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NO_x budget unit, and any source that includes one or more such units shall be a NO_x budget source, subject to the requirements of NYCRR 237

Condition 206: Permit Requirements

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(a)

Item 206.1:

This Condition applies to Emission Unit: U-00002



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Item 206.2:

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOx BU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

Condition 207: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(c)

Item 207.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 207.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

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Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

A NOx allowance allocated by the department under the Acid Deposition Reduction (ADR) NOx Budget Trading Program is a limited authorization to emit one ton of NOx in accordance with the ADR NOx Budget Trading Program. No provision of the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NOx allowance allocated by the department under the ADR NOx Budget Trading Program does not constitute a property right.

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 208: Recordkeeping and Reporting Requirements
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 208.1:

This Condition applies to Emission Unit: U-00002

Item 208.2:

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

- 1) The account certificate of representation for the NOx authorized account representative for the source



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and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.

2) All emissions monitoring information, in accordance with NYCRR 237-8.

3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.

4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

Condition 209: Liability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(f)

Item 209.1:

This Condition applies to Emission Unit: U-00002

Item 209.2:

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 210: Effect on other Authorities

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(g)

Item 210.1:

This Condition applies to Emission Unit: U-00002

Item 210.2:



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No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 211: Authorization and responsibilities of the NOx authorized account representative
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-2

Item 211.1:

This Condition applies to Emission Unit: U-00002

Item 211.2:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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



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penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 212: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-4.1

Item 212.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 212.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

(1) identification of each NOx budget unit;

(2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the

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control period;

(3) at the NO_x authorized account representative's option, for units sharing a common stack and having NO_x emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO_x allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);

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

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

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

(a) whether the unit was operated in compliance with the NO_x budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO_x emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO_x emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

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(d) whether the facts that form the basis for certification under NYCRR 237-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 213: Submission of NOx allowance transfers
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-7.1

Item 213.1:

This Condition applies to Emission Unit: U-00002

Item 213.2:

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

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

Condition 214: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-8

Item 214.1:

The Compliance Demonstration activity will be performed for:

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Item 214.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 215: Applicability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.4

Item 215.1:

This Condition applies to Emission Unit: U-00002

Item 215.2:

The administrator has determined this to be an affected SO2 budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO2 budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO2 budget unit.

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**Condition 216: Permit Requirements to be included in new permits or units.
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable State Requirement: 6NYCRR 238-1.6(a)

Item 216.1:

This Condition applies to Emission Unit: U-00002

Item 216.2:

The SO₂ authorized account representative of each SO₂ budget unit shall:

(i) submit to the department a complete SO₂ budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2; which states the later of October 1, 2004 or 12 months before the date on which the SO₂ budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO₂ budget permit application and issue or deny an SO₂ budget permit.

The owners and operators of each SO₂ budget unit shall have an SO₂ budget permit and operate the unit in compliance with such SO₂ budget permit.

**Condition 217: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable State Requirement: 6NYCRR 238-1.6(c)

Item 217.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 217.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO₂ budget source and each SO₂ budget unit at the source shall hold SO₂ allowances available for compliance deductions under NYCRR 238-6.5, as of the SO₂ allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO₂ budget emissions limitation shall constitute a separate

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violation of this Part, the Act, and applicable State law.

An SO₂ budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO₂ allowances shall be held in, deducted from, or transferred among SO₂ Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO₂ allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO₂ allowance was allocated.

An SO₂ allowance allocated by the department under the ADR SO₂ budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program. No provision of the ADR SO₂ Budget Trading Program, the SO₂ budget permit application, or the SO₂ budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO₂ allowance allocated by the department under the ADR SO₂ Budget Trading Program does not constitute a property right.

The owners and operators of an SO₂ budget unit that has excess emissions in any control period shall:
Forfeit the SO₂ allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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



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Condition 218: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 218.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 218.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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



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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 219: Liability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(f)

Item 219.1:

This Condition applies to Emission Unit: U-00002

Item 219.2:

No permit revision shall excuse any violation of the requirements of the ADR SO₂ Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget source (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget source) shall also apply to the owners and operators of such source and of the SO₂ budget units at the source;

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget unit (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO₂ authorized account representative of one SO₂ budget unit shall not be liable for any violation by any other SO₂ budget unit of which they are not owners or operators or the SO₂ authorized account representative and that is located at a source of which they are not owners or operators or the SO₂ authorized account representative.

Condition 220: Effect on Other Authorities

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(g)

Item 220.1:

This Condition applies to Emission Unit: U-00002

Item 220.2:

No provision of the ADR SO₂ Budget Trading Program, an SO₂ budget permit application, or an SO₂



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budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO₂ authorized account representative of an SO₂ budget source or SO₂ budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 221: Submissions to the Department
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-2.1

Item 221.1:

This Condition applies to Emission Unit: U-00002

Item 221.2:

Each submission under the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program shall be submitted, signed, and certified by the SO₂ authorized account representative for each SO₂ budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO₂ authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO₂ budget sources or SO₂ budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

Condition 222: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-4.1

Item 222.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 222.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO₂ budget units at a source are subject to the SO₂ budget emissions limitation, the SO₂ authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance

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certification report for each source covering all such units; as per NYCRR 238-4.

The SO₂ authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO₂ budget emissions limitation for the control period covered by the report:

- (1) identification of each SO₂ budget unit;
- (2) except in instances when the SO₂ budget unit seeks to use future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO₂ authorized account representative's option, the serial numbers of the SO₂ allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO₂ authorized account representative's option, for units sharing a common stack and having SO₂ emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO₂ allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and
- (5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO₂ authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO₂ budget units at the source in compliance with the ADR SO₂ Budget Trading Program, whether each SO₂ budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO₂ Budget Trading Program applicable to the unit, including:

- (a) whether the unit was operated in compliance with the

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SO2 budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO2 emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO2 emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 223: Submission of SO2 allowance transfers
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-7.1

Item 223.1:

This Condition applies to Emission Unit: U-00002



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Item 223.2:

The SO₂ authorized account representatives seeking recordation of an SO₂ allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO₂ allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO₂ allowance to be transferred; and
- (c) the printed name and signature of the SO₂ authorized account representative of the transferor account and the date signed.

Condition 224: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-8

Item 224.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 224.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO₂ authorized account representative of an SO₂ budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO₂ budget unit," and "SO₂ authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 225: Applicable Units, nameplate capacity of 25 MWe or greater



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Applicable State Requirement: 6NYCRR 237-1.4(a)

Item 225.1:

This Condition applies to Emission Unit: U-00003

Item 225.2:

Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NOx budget unit, and any source that includes one or more such units shall be a NOx budget source, subject to the requirements of NYCRR 237

Condition 226: Permit Requirements

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(a)

Item 226.1:

This Condition applies to Emission Unit: U-00003

Item 226.2:

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2; which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

Condition 227: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(c)

Item 227.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 227.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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The owners and operators of each NO_x budget source and each NO_x budget unit at the source shall hold NO_x allowances available for compliance deductions under NYCRR 237-6.5, as of the NO_x allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_x emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO_x emitted in excess of the NO_x budget emissions limitation shall constitute a separate violation of applicable State law.

A NO_x budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NO_x allowances shall be held in, deducted from, or transferred among NO_x Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NO_x allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NO_x allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NO_x allowance was allocated.

A NO_x allowance allocated by the department under the Acid Deposition Reduction (ADR) NO_x Budget Trading Program is a limited authorization to emit one ton of NO_x in accordance with the ADR NO_x Budget Trading Program. No provision of the ADR NO_x Budget Trading Program, the NO_x budget permit application, or the NO_x budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NO_x allowance allocated by the department under the ADR NO_x Budget Trading Program does not constitute a property right.

The owners and operators of a NO_x budget unit that has excess emissions in any control period shall: Forfeit the NO_x allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR



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237-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 228: Recordkeeping and Reporting Requirements
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 228.1:

This Condition applies to Emission Unit: U-00003

Item 228.2:

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

Condition 229: Liability
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(f)

Item 229.1:

This Condition applies to Emission Unit: U-00003



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Item 229.2:

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 230: Effect on other Authorities

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-1.6(g)

Item 230.1:

This Condition applies to Emission Unit: U-00003

Item 230.2:

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 231: Authorization and responsibilities of the NOx authorized account representative

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-2

Item 231.1:

This Condition applies to Emission Unit: U-00003

Item 231.2:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or



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her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 232: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-4.1

Item 232.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 232.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx budget units at a source are subject to the NOx budget emissions

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limitation, the NOx authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

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

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including:

(a) whether the unit was operated in compliance with the NOx budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 233: Submission of NOx allowance transfers
Effective between the dates of 01/24/2007 and 01/23/2012**

Applicable State Requirement: 6NYCRR 237-7.1

Item 233.1:

This Condition applies to Emission Unit: U-00003

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Item 233.2:

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

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

Condition 234: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 237-8

Item 234.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 234.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

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

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requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 235: Applicability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.4

Item 235.1:

This Condition applies to Emission Unit: U-00003

Item 235.2:

The administrator has determined this to be an affected SO₂ budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO₂ budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO₂ budget unit.

Condition 236: Permit Requirements to be included in new permits or units.

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(a)

Item 236.1:

This Condition applies to Emission Unit: U-00003

Item 236.2:

The SO₂ authorized account representative of each SO₂ budget unit shall:

(i) submit to the department a complete SO₂ budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2; which states the later of October 1, 2004 or 12 months before the date on which the SO₂ budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO₂ budget permit application and issue or deny an SO₂ budget permit.

The owners and operators of each SO₂ budget unit shall have an SO₂ budget permit and operate the unit in compliance with such SO₂ budget permit.

Condition 237: Compliance Demonstration

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(c)

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Item 237.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 237.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO₂ budget source and each SO₂ budget unit at the source shall hold SO₂ allowances available for compliance deductions under NYCRR 238-6.5, as of the SO₂ allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO₂ budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO₂ budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO₂ allowances shall be held in, deducted from, or transferred among SO₂ Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO₂ allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO₂ allowance was allocated.

An SO₂ allowance allocated by the department under the ADR SO₂ budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program. No provision of the ADR SO₂ Budget Trading Program, the SO₂ budget permit application, or the SO₂ budget permit or any provision of law shall be construed to limit the authority



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of the United States or the State to terminate or limit such authorization.

An SO₂ allowance allocated by the department under the ADR SO₂ Budget Trading Program does not constitute a property right.

The owners and operators of an SO₂ budget unit that has excess emissions in any control period shall:
Forfeit the SO₂ allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 238: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

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

Item 238.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 238.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The account certificate of representation for the SO₂ authorized account representative for the source and each SO₂ budget unit at the source and all documents that

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 239: Liability

Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(f)

Item 239.1:

This Condition applies to Emission Unit: U-00003

Item 239.2:

No permit revision shall excuse any violation of the requirements of the ADR SO₂ Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget source (including



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a provision applicable to the SO₂ authorized account representative of an SO₂ budget source) shall also apply to the owners and operators of such source and of the SO₂ budget units at the source;

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget unit (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO₂ authorized account representative of one SO₂ budget unit shall not be liable for any violation by any other SO₂ budget unit of which they are not owners or operators or the SO₂ authorized account representative and that is located at a source of which they are not owners or operators or the SO₂ authorized account representative.

Condition 240: Effect on Other Authorities
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-1.6(g)

Item 240.1:

This Condition applies to Emission Unit: U-00003

Item 240.2:

No provision of the ADR SO₂ Budget Trading Program, an SO₂ budget permit application, or an SO₂ budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO₂ authorized account representative of an SO₂ budget source or SO₂ budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 241: Submissions to the Department
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-2.1

Item 241.1:

This Condition applies to Emission Unit: U-00003

Item 241.2:

Each submission under the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program shall be submitted, signed, and certified by the SO₂ authorized account representative for each SO₂ budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO₂ authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO₂ budget sources or SO₂ budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

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Condition 242: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-4.1

Item 242.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 242.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO₂ budget units at a source are subject to the SO₂ budget emissions limitation, the SO₂ authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO₂ authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO₂ budget emissions limitation for the control period covered by the report:

- (1) identification of each SO₂ budget unit;
- (2) except in instances when the SO₂ budget unit seeks to use future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO₂ authorized account representative's option, the serial numbers of the SO₂ allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO₂ authorized account representative's option, for units sharing a common stack and having SO₂ emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO₂ allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

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

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

In the compliance certification report, the SO₂ authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO₂ budget units at the source in compliance with the ADR SO₂ Budget Trading Program, whether each SO₂ budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO₂ Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO₂ budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO₂ emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO₂ emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

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(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 243: Submission of SO2 allowance transfers
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-7.1

Item 243.1:

This Condition applies to Emission Unit: U-00003

Item 243.2:

The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO2 allowance to be transferred; and
- (c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 244: Compliance Demonstration
Effective between the dates of 01/24/2007 and 01/23/2012

Applicable State Requirement: 6NYCRR 238-8

Item 244.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 244.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO₂ authorized account representative of an SO₂ budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO₂ budget unit," and "SO₂ authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION