



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 5-0942-00106/00018
Mod 0 Effective Date: 07/01/2006 Expiration Date: 06/30/2011
Mod 2 Effective Date: 06/22/2009 Expiration Date: 06/30/2011

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 5-0942-00106/00023
Effective Date: 06/22/2009 Expiration Date: 06/30/2011

Permit Issued To: SARANAC POWER PARTNERS LP
302 S 36TH ST STE 400
OMAHA, NE 68131

Contact: DAVID LUCAS
SARANAC POWER PARTNERS
99 WEED ST EXT PO BOX 2985
PLATTSBURGH, NY 12901
(518) 563-1072

Facility: SARANAC POWER PARTNERS COGENERATION FAC
99 WEED ST EXT
PLATTSBURGH, NY 12901

Description:

The Saranac Power Partners, LP Facility consists of two General Electric Frame 7EA combustion gas turbines with a nominal electrical output of 80 MWe, each. Each turbine is equipped with a heat recovery steam generator (HRSG) with supplemental firing provided by duct burners. Steam generated by the HRSGs is passed through a single steam turbine (80 MWe, nominal). Electricity generated by the facility is sold to the grid. Low pressure steam exiting the steam turbine is passed through an air cooled condenser or, alternatively, is delivered to a neighboring industrial facility (Georgia Pacific) for process and/or heating use. The turbines and duct burners are fired exclusively on natural gas. Emissions controls include the use of dry low NOx burners in the gas turbines, and selective catalytic reduction (SCR) and a CO catalyst in the heat recovery steam generators (HRSGs).

Also at the facility is an auxiliary boiler which is used to provide steam to Georgia-Pacific. The auxiliary boiler is capable of burning either natural gas or liquid propane gas, and utilizes low NOx burners for emissions control.

Emergency power capability is provided by two natural gas/liquid propane gas-fired standby generators (1500kw each), a 1500 kw diesel-fired generator and a 400 kw diesel generator. Electricity generated by this equipment is used on-site and is not exported from the facility.



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 J MCMURRAY
 NYSDEC
 PO BOX 296
 RAY BROOK, NY 12977-0296

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 5 SUBOFFICE
- Submission of application for permit modification or renewal-REGION 5 SUBOFFICE - WARRENSBURG



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 2-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:

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

Item 2-1.2:

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



Item 2-1.3:

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 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 621.13

Expired by Mod No: 1

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

Condition 2-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:

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

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

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

Condition 4: Submission of Applications for Permit Modification or Renewal -REGION 5 SUBOFFICE



Applicable State Requirement: 6NYCRR 621.5(a)

Expired by Mod No: 1

Item 4.1:

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

NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Hudson St, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281

Condition 2-3: Submission of application for permit modification or renewal-REGION 5

SUBOFFICE - WARRENSBURG

Applicable State Requirement: 6NYCRR 621.6(a)

Item 2-3.1:

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

NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Golf Course Road, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: SARANAC POWER PARTNERS LP
302 S 36TH ST STE 400
OMAHA, NE 68131

Facility: SARANAC POWER PARTNERS COGENERATION FAC
99 WEED ST EXT
PLATTSBURGH, NY 12901

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4931 - ELEC & OTHER SERVICES COMBINED

Permit Effective Date: 06/22/2009

Permit Expiration Date: 06/30/2011



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
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- Permit modifications, suspensions or revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 5 SUBOFFICE
- Submission of application for permit modification or renewal-REGION 5 SUBOFFICE - WARRENSBURG

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 2-1 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 : Prohibition of Reintroduction of Collected Contaminants to the air
- 23 6NYCRR 201-6: Emission Unit Definition
- 2-2 6NYCRR 201-7: Facility Permissible Emissions
- *2-3 6NYCRR 201-7: Capping Monitoring Condition
- 2-4 6NYCRR 227-2.4(f)(4): Compliance Certification
- 2-5 6NYCRR 243-1: NOx Ozone Season Budget
- 2-6 6NYCRR 243-2: CAIR Representative
- 2-7 6NYCRR 243-8: Monitoring and reporting NOx emissions
- 2-8 6NYCRR 244-1: CAIR NOx Annual Trading Program General Conditions
- 2-9 6NYCRR 244-2: Designated CAIR Representative
- 2-10 6NYCRR 244-8: Compliance Certification
- 2-11 6NYCRR 245-1: CAIR SO2 Trading Program General Provisions
- 2-12 6NYCRR 245-2: Designated CAIR Representative
- 2-13 6NYCRR 245-8: Compliance Certification
- 2-14 40CFR 52.21, Subpart A: Compliance Certification
- 2-15 40CFR 52.21, Subpart A: Compliance Certification
- 2-16 40CFR 52.21(j), Subpart A: Compliance Certification
- 45 40CFR 52.21(j), Subpart A: Compliance Certification
- 49 40CFR 52.21(j), Subpart A: Compliance Certification
- 68 40CFR 52.21(j), Subpart A: Compliance Certification

Emission Unit Level

- 98 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 99 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001

- 2-17 40CFR 72.6(a)(3)(vi), Subpart A: Title IV applicability.

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 150 ECL 19-0301: Contaminant List
- 2-18 6NYCRR 238-1.6(a): Permit requirements to be included in new



permits or units only

- 2-19 6NYCRR 238-1.6(c): Compliance Demonstration
- 2-20 6NYCRR 238-1.6(e): Record keeping and Reporting Requirements
- 2-21 6NYCRR 238-1.6(f): Liability
- 2-22 6NYCRR 238-1.6(g): Effect on Other Authorities
- 2-23 6NYCRR 238-2.1: Submissions to the Department
- 2-24 6NYCRR 238-3.2: Submission of SO₂ budget permit applications
- 2-25 6NYCRR 238-4.1: Compliance Demonstration
- 2-26 6NYCRR 238-7.1: Submission of SO₂ allowance transfers
- 2-27 6NYCRR 238-8: Monitoring and Reporting requirements
- 2-28 6NYCRR 242-1.5: CO₂ Budget Trading Program - Excess emission requirements
- 2-29 6NYCRR 242-1.5: Compliance Demonstration
- 2-30 6NYCRR 242-1.5: Compliance Demonstration

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**



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

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

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

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

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

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

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



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



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 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 2-1: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement: 6NYCRR 201-1.8

Replaces Condition(s) 12

Item 2-1.1:

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: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 07/01/2006 and 06/21/2009

Applicable Federal Requirement:

Replaced by Condition(s) 2-1

Item 12.1:

No person shall 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.

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



Condition 23: Emission Unit Definition
Effective between the dates of 07/01/2006 and 06/30/2011

Applicable Federal Requirement:6NYCRR 201-6

Item 23.1(From Mod 2):

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit consists of one emission point (EP #00001) through which seven emission sources are exhausted. Gas turbine #1 (ES 00GT1), duct burner #1 (ES 00DB1), standby generator (ES G102), emergency generator (G103) and maintenance generator (G104) all exhaust out of building B1's west stack (EP #00001). The remaining two emission sources (ES's 0SCR1 and 0COC1, actually air pollution control devices) control emissions of NO_x, CO and VOC from the gas turbine/duct burner exhaust. The duct burner is only operated when the gas turbine is operating and both units fire natural gas only. The standby generator may fire natural gas or LPG. The emergency and maintenance generators fire diesel fuel only.

Building(s): B1

Item 23.2(From Mod 2):

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

Emission Unit: U-00002

Emission Unit Description:

This emission unit consists of one emission point (EP #00002). Gas turbine #2 (ES 00GT2) and duct burner #2 (ES 00DB2) exhaust out of building B1's east stack (EP #00002). A selective catalytic reduction unit (ES 0SCR2) and a catalytic oxidation device (es 0COC2) control emissions of NO_x, CO and VOC from the gas turbine/duct burner exhaust. The duct burner is only operated when the gas turbine is operating and both units fire natural gas only.

Building(s): B1

Item 23.3(From Mod 2):

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

Emission Unit: U-00003

Emission Unit Description:

This emission unit is a D-tube boiler. The boiler can burn either natural gas or LPG. Steam from the boiler is sent to Georgia-Pacific.

Building(s): B2



Item 23.4(From Mod 2):

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

Emission Unit: U-00004

Emission Unit Description:

This emission unit is a 1500 kw standby generator that can burn either natural gas or LPG. This generator generates electricity for use in building B2 when the usual source of power is unavailable.

Building(s): B2

Condition 2-2: Facility Permissible Emissions
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 201-7

Item 2-2.1:

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

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

per year CAS No: 0NY210-00-0 (From Mod 2) PTE: 714,000 pounds

Name: OXIDES OF NITROGEN

per year CAS No: 0NY998-00-0 (From Mod 2) PTE: 122,000 pounds

Name: VOC

Condition 2-3: Capping Monitoring Condition
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 201-7

Item 2-3.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

Item 2-3.2:

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

Item 2-3.3:

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



other state and federal air pollution control requirements, regulations or law.

Item 2-3.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-3.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-3.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0

VOC

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

Item 2-3.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emissions from the facility (total) shall not exceed:
357 tpy (NOx), and 61 tpy (VOC).

Compliance shall be demonstrated on each combustion gas turbine/HRSG and the auxilliary boiler by use of a CEMS for (NOx) and emission factors from the last stack test for VOC; in conjunction with NOx and VOC emission factors for the standby generators (G101 and G102) and emergency generators (G103 and G104), approved by the Department.

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 7/30/2009.

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

Condition 2-4: Compliance Certification

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 227-2.4(f)(4)

Item 2-4.1:

The Compliance Certification activity will be performed for the facility:



Item 2-5.1:

1) As of midnight of November 30, or midnight of the first business day thereafter if November 30 is not a business day, the owners and operators shall hold, in the source's compliance account, Clean Air Interstate Rule (CAIR) NOx Ozone Season allowances available for compliance deductions for the previous control period (May 1 through September 30), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. [243-1.6(c)(1), 243-1.2(b)(5), 243-1.2(b)(36), 243-1.6(c)(3)]

2) If a CAIR NOx source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, the owners and operators of the CAIR NOx source shall surrender the CAIR NOx Ozone Season allowances required for deduction under 6NYCRR Part 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(243-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [243-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 243-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 243-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 243-8, provided that to the extent that 6NYCRR Part 243-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Ozone Season Trading Program.

**Condition 2-6: CAIR Representative
Effective between the dates of 06/22/2009 and
06/30/2011**

Applicable Federal Requirement: 6NYCRR 243-2

Item 2-6.1:

1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 243-2.2, with regard to all matters under the CAIR NOx Ozone Season Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 243-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 243-2.4, the CAIR designated representative of the source shall represent



and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx Ozone Season source represented in all matters pertaining to the CAIR NOx Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [243-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [243-2.1(e)]

**Condition 2-7: Monitoring and reporting NOx emissions
Effective between the dates of 06/22/2009 and
06/30/2011**

Applicable Federal Requirement: 6NYCRR 243-8

Item 2-7.1:

Monitoring and Reporting NOx emissions

- (1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 243-2.1(e)(1).
- (2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter covering January 1, 2008 through March 31, 2008.
- (3) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).
- (4) For CAIR Nox Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NOx Annual Trading Program, CAIR SO2



Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO_x mass emission data, heat input data, and other information required by this Subpart.

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

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 243 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NO_x emission controls and for all hours where NO_x data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO_x emissions.

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [243-8.3(a)]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 243-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO_x mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NO_x monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 243-8.1(a)(1) are subject to the recertification requirements in



40 CFR 75.20(g)(6).

Condition 2-8: CAIR NOx Annual Trading Program General Conditions
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement: 6NYCRR 244-1

Item 2-8.1:

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NOx allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated.

[244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NOx unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter.

[244-1.6(c)(2)]

3) If a CAIR NOx source emits nitrogen oxides during any control period in excess of the CAIR NOx emissions limitation, the owners and operators of the CAIR NOx source shall surrender the CAIR NOx allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d))]

4) Unless otherwise provided, the owners and operators of the CAIR NOx source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Annual Trading Program.



(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Annual Trading Program.

Condition 2-9: Designated CAIR Representative
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 244-2

Item 2-9.1:

1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source.

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

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

Condition 2-10: Compliance Certification
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 244-8

Item 2-10.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-10.2:

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

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

(2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

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

(4) For CAIR NOx units that are also subject to an Acid Rain emissions limitation or the CAIR NOx Ozone Season Trading Program, CAIR SO2 Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NOx mass emission data, heat input data, and other information required by this Subpart.

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

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



procedures and specifications; and

(ii) for a unit with add-on NO_x emission controls and for all hours where NO_x data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO_x emissions.

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO_x mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NO_x monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 2-11: CAIR SO₂ Trading Program General Provisions



Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 245-1

Item 2-11.1:

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO₂ source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source. A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO₂ unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, the owners and operators of the source shall surrender the CAIR SO₂ allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO₂ source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.

Condition 2-12: Designated CAIR Representative

Effective between the dates of 06/22/2009 and 06/30/2011



Applicable Federal Requirement:6NYCRR 245-2

Item 2-12.1:

1) Each CAIR SO₂ source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO₂ Trading Program. The CAIR designated representative of the CAIR SO₂ source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO₂ units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO₂ source represented and each CAIR SO₂ unit at the source in all matters pertaining to the CAIR SO₂ Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO₂ Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO₂ source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [245-2.1(e)]

Condition 2-13: Compliance Certification
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:6NYCRR 245-8

Item 2-13.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-13.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO₂ emissions:

1) The owners and operators, and to the extent applicable,



the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO₂ unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO₂ unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO₂ unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO₂ unit. [245-8.1]

2)The owner or operator of each CAIR SO₂ unit shall:
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO₂ mass emissions and individual unit heat input (including all systems required to monitor SO₂ concentration, stack gas moisture content, stack gas flow rate, CO₂ or O₂ concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

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

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

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

(i) For the CAIR SO₂ unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO₂ unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous



emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO₂ mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

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

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

7) The owner or operator of a CAIR SO₂ unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

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

9) The CAIR designated representative shall submit quarterly reports of the SO₂ mass emissions data and heat input data for each CAIR SO₂ unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:



[245-8.5(d)(1)]

i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or

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

10) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.64. [245-8.5(d)(2)]

11) For CAIR SO₂ units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO₂ mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [245-8.5(e)]

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

ii) for a unit with add-on SO₂ emission controls and for all hours where SO₂ data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO₂ emissions.

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.



The initial report is due 7/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 2-14: Compliance Certification
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-14.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This project is a minor modification under PSD since projected actual emissions will not exceed baseline actual emissions by a significant amount. In order to maintain minor modification status, actual emissions from the facility (total) shall not equal or exceed the following levels during the next 5 calendar years: NO₂ -267.0 tpy; CO - 103.5 tpy; VOC - 78.3 tpy; PM-10 - 124.5 tpy; PM-2.5 - 119.5 tpy.

The owner or operator shall calculate and maintain a record of the annual emissions of each of these contaminants, in tpy on a calendar year basis, for a period of 5 years following the effective date of this permit modification.

The owner or operator shall submit a report to the Administrator within 60 days after the end of each year during which records must be generated under paragraph (r)(6)(iii), setting out the unit's annual emissions determined as per paragraph (r)(6)(iii) for the preceding calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 3/1/2010.

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

Condition 2-15: Compliance Certification
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:40CFR 52.21, Subpart A



Item 2-15.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-15.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Prior to the effective date of this permit modification, the owner or operator shall document and maintain a record of the following information:

- (a) a description of the project,
- (b) identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project, and
- (c) a description of the applicability test to determine that the project is not a major modification for any regulated NSR pollutant.

Prior to the effective date of this permit modification, the owner or operator shall provide a copy of the information set out above, to the administrator.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-16: Compliance Certification

Effective between the dates of 06/22/2009 and 06/30/2011

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

Replaces Condition(s) 68

Item 2-16.1:

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

Emission Unit: U-00004

Item 2-16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



A) The stand-by generator (ES0G102), emergency generator (ES0G103), and maintenance generator (ES0G104) may not be operated when either one or both gas turbines are operating, except during periods of normal start-up or shut down (not to exceed more than six hours per occurrence) and except during periods of normal testing and maintenance operation (not to exceed more than one hour per week). The source owner shall maintain a record of any occurrence of unpermitted simultaneous operation and the details surrounding the situation, how long it lasted and a description of why it happened. Such record shall be maintained on-site for a period of at least five years from the date of occurrence and provided to NYSDEC or USEPA representative upon request.

B) The two turbines (ES Nos. 00GT1 and 00GT2) may operate at base load with their duct burners (ES Nos. 00DB1 and 00DB2) at a firing rate of up to 221 million Btu's per hour or one turbine may operate with the duct burner firing at a rate of up to 553 million Btu's per hour. The source owner shall maintain a record of any occurrence of unpermitted simultaneous operation and the details surrounding the situation, how long it lasted and a description of why it happened. Such record shall be maintained on-site for a period of at least five years from the date of occurrence and provided to NYSDEC or USEPA representative upon request.

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 7/30/2009.

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

Condition 45: Compliance Certification
Effective between the dates of 07/01/2006 and 06/21/2009

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

Expired by Mod 2

Item 45.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 3DG

Emission Unit: U-00001

Process: 4DG



Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operation of the emergency diesel generator (OG103) and the maintenance generator (OG104) are each limited to 2190 hours per year on daily rolling basis. A daily record of the number of hours that this process operated per day, and for the last 365 days, shall be maintained on-site.

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 49: Compliance Certification

Effective between the dates of 07/01/2006 and 06/21/2009

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

Expired by Mod 2

Item 49.1:

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 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The auxiliary boiler (ES No. 00AXB) may fire up to 62.2 million Btu's per hour when operated simultaneously with one turbine and one duct burner. The source owner shall maintain a record of any occurrence of unpermitted simultaneous operation and the details surrounding the situation, how long it lasted and a description of why it happened. Such record shall be maintained on-site for a period of at least five years from the date of occurrence and provided to NYSDEC or USEPA representative upon request.

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 1/30/2007.

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

Condition 68: Compliance Certification
Effective between the dates of 07/01/2006 and 06/21/2009

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

Replaced by Condition(s) 2-16

Item 68.1:

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

Emission Unit: U-00004

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A) The stand-by generator (ES0G102), emergency generator (ES0G103), and maintenance generator

(ES0G104) may not be operated when either one or both gas turbines are operating, except during periods of normal start-up or shut down (not to exceed more than six hours per occurrence) and except during periods of normal testing and maintenance operation (not to exceed more than one hour per week). The source owner shall maintain a record of any occurrence of unpermitted simultaneous operation and the details surrounding the situation, how long it lasted and a description of why it happened. Such record shall be maintained on-site for a period of at least five years from the date of occurrence and provided to NYSDEC or USEPA representative upon request.

B) When the auxiliary boiler (ES 00AXB) and its dedicated standby generator (ES No. 0G101) are not operating, the two turbines (ES Nos. 00GT1 and 00GT2) may operate at base load with their duct burners (ES Nos. 00DB1 and 00DB2) at a firing rate of up to 221 million Btu's per hour or one turbine may operate with the duct burner firing at a rate of up to 553 million Btu's per hour. When the auxiliary boiler and



its

dedicated standby generator are operating, duct burner firing rates are limited to less than 50 million Btu's per hour each. The source owner shall maintain a record of any occurrence of unpermitted simultaneous operation and the details surrounding the situation, how long it lasted and a description of why it happened. Such record shall be maintained on-site for a period of at least five years from the date

of occurrence and provided to NYSDEC or USEPA representative upon request.

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 1/30/2007.

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

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

**Condition 98: Emission Point Definition By Emission Unit
Effective between the dates of 07/01/2006 and 06/30/2011**

Applicable Federal Requirement:6NYCRR 201-6

Item 98.1(From Mod 2):

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 160

Diameter (in.): 192

NYTMN (km.): 4952.247 NYTME (km.): 622.283 Building: B1

Item 98.2(From Mod 2):

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 160

Diameter (in.): 192

NYTMN (km.): 4952.253 NYTME (km.): 622.296 Building: B1

Item 98.3(From Mod 2):

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

Emission Unit: U-00003

Emission Point: 00003



Height (ft.): 120 Diameter (in.): 60
NYTMN (km.): 4952.282 NYTME (km.): 622.242 Building: B2

Item 98.4(From Mod 2):

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

Emission Unit: U-00004

Emission Point: 00007

Height (ft.): 120 Diameter (in.): 20
NYTMN (km.): 4952.284 NYTME (km.): 622.267 Building: B2

Condition 99: Process Definition By Emission Unit
Effective between the dates of 07/01/2006 and 06/30/2011

Applicable Federal Requirement:6NYCRR 201-6

Item 99.1(From Mod 2):

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

Emission Unit: U-00001

Process: 2LP

Source Classification Code: 2-02-010-02

Process Description:

1500 kw standby generator which burns LPG to provide electricity to building B1 during gas turbine startups and shutdowns, and when the usual source of power is unavailable.

Emission Source/Control: 0G102 - Combustion

Design Capacity: 1,500 kilowatts

Item 99.2(From Mod 2):

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

Emission Unit: U-00001

Process: 2NG

Source Classification Code: 2-02-002-02

Process Description:

1500 kw standby generator which burns natural gas to provide electricity to building B1 during gas turbine startups and shutdowns, and when the usual source of power is unavailable.

Emission Source/Control: 0G102 - Combustion

Design Capacity: 1,500 kilowatts

Item 99.3(From Mod 2):

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

Emission Unit: U-00001

Process: 3DG

Source Classification Code: 2-02-001-02

Process Description:

1500 kw emergency diesel generator that generates electricity for use in building B1 during gas turbine



startups and shutdowns, and when the usual source of power is unavailable. This generator burns distillate fuel oil #2.

Emission Source/Control: 0G103 - Combustion
Design Capacity: 1,500 kilowatts

Item 99.4(From Mod 2):

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

Emission Unit: U-00001
Process: 4DG Source Classification Code: 2-02-001-02
Process Description:
400 kw maintenance generator burns #2 distillate fuel oil. Provides electrical power to building B1 during gas turbine shutdowns and startups, and when the usual source of power is unavailable.

Emission Source/Control: 0G104 - Combustion
Design Capacity: 400 kilowatts

Item 99.5(From Mod 2):

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

Emission Unit: U-00001
Process: GD1 Source Classification Code: 2-02-002-03
Process Description:
GE Frame 7 gas turbine/hrsg unit with supplemental firing of duct burner. Both units fire natural gas.

Emission Source/Control: 00DB1 - Combustion
Design Capacity: 553 million Btu per hour

Emission Source/Control: 00GT1 - Combustion
Design Capacity: 1,123 million Btu per hour

Emission Source/Control: 0COC1 - Control
Control Type: CATALYTIC OXIDATION

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

Item 99.6(From Mod 2):

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

Emission Unit: U-00001
Process: GT1 Source Classification Code: 2-02-002-03
Process Description:
GE Frame 7 gas turbine/hrsg unit with no supplemental firing of duct burner. Fuel used is natural gas.

Emission Source/Control: 00GT1 - Combustion
Design Capacity: 1,123 million Btu per hour



Emission Source/Control: 0COC1 - Control
Control Type: CATALYTIC OXIDATION

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

Item 99.7(From Mod 2):

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

Emission Unit: U-00002
Process: GD2 Source Classification Code: 2-02-002-03
Process Description:
GE Frame 7 gas turbine/hrsg unit with supplemental firing
of duct burner. Both units fire natural gas.

Emission Source/Control: 00DB2 - Combustion
Design Capacity: 553 million Btu per hour

Emission Source/Control: 00GT2 - Combustion
Design Capacity: 1,123 million Btu per hour

Emission Source/Control: 0COC2 - Control
Control Type: CATALYTIC OXIDATION

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

Item 99.8(From Mod 2):

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

Emission Unit: U-00002
Process: GT2 Source Classification Code: 2-02-002-03
Process Description:
GE Frame 7 gas turbine/hrsg unit with no supplemental
firing of duct burner. Fuel used is natural gas.

Emission Source/Control: 00GT2 - Combustion
Design Capacity: 1,123 million Btu per hour

Emission Source/Control: 0COC2 - Control
Control Type: CATALYTIC OXIDATION

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

Item 99.9(From Mod 2):

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

Emission Unit: U-00003
Process: AXL Source Classification Code: 1-02-010-01
Process Description:
Auxiliary boiler burns LPG to generate steam for



Georgia-Pacific.

Emission Source/Control: 00AXB - Combustion
Design Capacity: 226 million Btu per hour

Item 99.10(From Mod 2):

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

Emission Unit: U-00003
Process: AXN Source Classification Code: 1-02-006-01
Process Description:
Auxiliary boiler burns natural gas to generate steam for
Georgia-Pacific.

Emission Source/Control: 00AXB - Combustion
Design Capacity: 226 million Btu per hour

Item 99.11(From Mod 2):

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

Emission Unit: U-00004
Process: 1LP Source Classification Code: 2-02-010-02
Process Description:
1500 kw standby generator which burns LPG to provide
electricity to building B2 when the usual source of power
is unavailable.

Emission Source/Control: 0G101 - Combustion
Design Capacity: 1,500 kilowatts

Item 99.12(From Mod 2):

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

Emission Unit: U-00004
Process: 1NG Source Classification Code: 2-02-002-02
Process Description:
1500 kw standby generator which burns natural gas to
provide electricity to building B2 when the usual source
of power is unavailable.

Emission Source/Control: 0G101 - Combustion
Design Capacity: 1,500 kilowatts

Condition 2-17: Title IV applicability.

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable Federal Requirement:40CFR 72.6(a)(3)(vi), Subpart A

Item 2-17.1:

This Condition applies to:

Emission Unit: U00001



Emission Unit: U00002

Item 2-17.1:

This Condition applies to Emission Unit: U-00001

Item 2-17.2.3:

This emission source is subject to the title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77, and 78.



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 150: Contaminant List

Effective between the dates of 07/01/2006 and 06/30/2011

Applicable State Requirement:ECL 19-0301

Item 150.1:

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 007446-09-5



Name: SULFUR DIOXIDE

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

Condition 2-18: Permit requirements to be included in new permits or units only

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-1.6(a)

Item 2-18.1:

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 2-19: Compliance Demonstration

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-1.6(c)

Item 2-19.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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 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).

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



The initial report is due 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 2-20: Record keeping and Reporting Requirements
Effective between the dates of 06/22/2009 and 06/30/2011

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

Item 2-20.1:

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

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

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

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

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

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

Condition 2-21: Liability
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-1.6(f)

Item 2-21.1:

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 2-22: Effect on Other Authorities

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-1.6(g)

Item 2-22.1:

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 2-23: Submissions to the Department

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-2.1

Item 2-23.1:

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 2-24: Submission of SO₂ budget permit applications

Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-3.2

Item 2-24.1: For any source, with any SO₂ budget unit subject to this Acid Deposition Reduction SO₂ Budget Trading Program, the SO₂ budget authorized account representative shall submit a complete SO₂ budget permit application containing the information required by



6NYCRR 238-3.3 covering such SO2 budget unit to the Department at least 12 months before the date on which the SO2 budget unit commences operation.

Condition 2-25: Compliance Demonstration
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-4.1

Item 2-25.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-25.2:

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);
- (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

(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 2-26: Submission of SO₂ allowance transfers
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-7.1

Item 2-26.1:

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 2-27: Monitoring and Reporting requirements
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 238-8

Item 2-27.1: 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.

Condition 2-28: CO₂ Budget Trading Program - Excess emission requirements
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 242-1.5

Item 2-28.1:

The owners and operators of a CO₂ budget source that has excess emissions in any control period shall:

- (1) forfeit the CO₂ allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO₂ offset allowances may not be used to cover any part of such excess emissions; and
- (2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).



Condition 2-29: Compliance Demonstration
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement: 6NYCRR 242-1.5

Item 2-29.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-29.2:

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 CO₂ authorized account representative of each CO₂ budget source and each CO₂ budget unit at the source shall comply with the monitoring requirements of Subpart 242-8. The emissions measurements recorded and reported in accordance with Subpart 242-8 of this Part shall be used to determine compliance by the unit with the following CO₂ requirements:

- (1) The owners and operators of each CO₂ budget source and each CO₂ budget unit at the source shall hold CO₂ allowances available for compliance deductions under Section 242-6.5, as of the CO₂ allowance transfer deadline, in the source's compliance account in an amount not less than the total CO₂ emissions for the control period from all CO₂ budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.
- (2) Each ton of CO₂ emitted in excess of the CO₂ budget emissions limitation shall constitute a separate violation of this Part and applicable state law.
- (3) A CO₂ budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.
- (4) CO₂ allowances shall be held in, deducted from, or transferred among CO₂ Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.
- (5) A CO₂ allowance shall not be deducted, in order to comply with the requirements specified in item 1, for a control period that ends prior to the allocation year for which the CO₂ allowance was allocated. A CO₂ offset allowance shall not be deducted, in order to comply with the requirements under item 1, beyond the applicable percent limitations set out in 6NYCRR Part



242-6.5(a)(3).

(6) A CO2 allowance under the CO2 Budget Trading Program is a limited authorization by the Department or a participating state to emit one ton of CO2 in accordance with the CO2 Budget Trading Program. No provision of the CO2 Budget Trading Program, the CO2 budget permit application, or the CO2 budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit such authorization.

(7) A CO2 allowance under the CO2 Budget Trading Program does not constitute a property right.

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 7/30/2009.

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

Condition 2-30: Compliance Demonstration
Effective between the dates of 06/22/2009 and 06/30/2011

Applicable State Requirement:6NYCRR 242-1.5

Item 2-30.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-30.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of the CO2 budget source and each CO2 budget unit at the source shall keep on site at the source each of the following documents for a period of 10 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 10 years, in writing by the department.

(i) The account certificate of representation for the CO2 authorized account representative for the source and each CO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 6 NYCRR Part 242-2.4, provided that the certificate and documents shall be retained on site at the source beyond such 10-year period until such documents are superseded because of the submission of a new account certificate of representation.



(ii) All emissions monitoring information, in accordance with Subpart 242-8 and 40 CFR 75.57.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CO2 Budget Trading Program.

(iv) Copies of all documents used to complete a CO2 budget permit application and any other submission under the CO2 Budget Trading Program or to demonstrate compliance with the requirements of the CO2 Budget Trading Program.

The CO2 authorized account representative of a CO2 budget source and each CO2 budget unit at the source shall submit the reports and compliance certifications required under the CO2 Budget Trading Program, including those under Subpart 242-4.

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 7/30/2009.

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

New York State Department of Environmental Conservation

Permit ID: 5-0942-00106/00018

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