PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 6-2240-00009/00007
Mod 0 Effective Date: 05/20/2013 Expiration Date: 05/19/2018

Mod 1 Effective Date: 04/01/2013 Expiration Date: No expiration date.

Mod 2 Effective Date: 11/01/2013 Expiration Date: 05/19/2018

Permit Issued To:REENERGY BLACK RIVER LLC
PO BOX 849
FORT DRUM, NY 13602-0849

Facility: REENERGY BLACK RIVER LLC
EUPHRATES RIVER VALLEY RD & ONEIDA AVE
FORT DRUM, NY 13602

Contact: ANTHONY MARCINIAK
REENERGY BLACK RIVER LLC
PO BOX 849
FORT DRUM, NY 13602-0849
(518) 497-3263

Description:

This project is an administrative amendment to correct the carbon monoxide lb/hr and lb/mmbtu emission limits. Further, this application is to update any changes to regulations.

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: LAWRENCE R AMBEAU
NYSDEC - STATE OFFICE BLDG
317 WASHINGTON ST
WATERTOWN, NY 13601

Authorized Signature: _____ Date: ___ / ___ / _____

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

LIST OF CONDITIONS

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department
Facility Level
Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS

DEC GENERAL CONDITIONS
****** General Provisions ******
For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

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

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

Item 4.1:
The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

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

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:REENERGY BLACK RIVER LLC
PO BOX 849
FORT DRUM, NY 13602-0849

Facility: REENERGY BLACK RIVER LLC
EUPHRATES RIVER VALLEY RD & ONEIDA AVE
FORT DRUM, NY 13602

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4931 - ELEC & OTHER SERVICES COMBINED
4961 - STEAM SUPPLY

Mod 0 Permit Effective Date: 05/20/2013 Permit Expiration Date: 05/19/2018

Mod 2 Permit Effective Date: 11/01/2013 Permit Expiration Date: 05/19/2018

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

1 6 NYCRR 200.6: Acceptable Ambient Air Quality
15 6 NYCRR 201-6.4 (a) (7): Fees
18 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
19 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
20 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
22 6 NYCRR 201-6.4 (e): Compliance Certification
2 6 NYCRR 202-2.1: Compliance Certification
3 6 NYCRR 202-2.5: Recordkeeping requirements
4 6 NYCRR 215.2: Open Fires - Prohibitions
5 6 NYCRR 200.7: Maintenance of Equipment
6 6 NYCRR 201-1.7: Recycling and Salvage
7 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
8 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
9 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
14 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
17 6 NYCRR 201-6.4 (a) (8): Compliance Certification
23 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
10 6 NYCRR 202-1.1: Required Emissions Tests
11 40 CFR Part 68: Accidental release provisions.
12 40CFR 82, Subpart F: Recycling and Emissions Reduction
13 6 NYCRR Subpart 201-6: Emission Unit Definition
21 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
*24 6 NYCRR Subpart 201-7: Capping Monitoring Condition
25 6 NYCRR 211.1: Air pollution prohibited
2-1 6 NYCRR Subpart 225-1: Compliance Certification
26 6 NYCRR Subpart 225-1: Compliance Certification
27 6 NYCRR 227-2.1: Compliance Certification
28 6 NYCRR 227.2 (b) (1): Compliance Certification
29 6 NYCRR Subpart 231-8: Compliance Certification
30 6 NYCRR Subpart 243-1: NOx Ozone Season Budget
31 6 NYCRR 243-1.6 (a): Permit Requirements
32 6 NYCRR 243-1.6 (b): Monitoring requirements
33 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
34 6 NYCRR 243-1.6 (d): Excess emission requirements
35 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
36 6 NYCRR Subpart 243-2: CAIR Representative
37 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
38 6 NYCRR 243-2.4: Certificate of representation
39 6 NYCRR Subpart 243-8: Monitoring and reporting NOx emissions
40 6 NYCRR 243-8.1: General requirements
41 6 NYCRR 243-8.1: Prohibitions

42 6 NYCRR 243-8.3: Out of control periods
43 6 NYCRR 243-8.5 (d): Quarterly reports
44 6 NYCRR 243-8.5 (e): Compliance certification
45 6 NYCRR Subpart 244-1: Compliance Certification
46 6 NYCRR Subpart 244-2: Compliance Certification
47 6 NYCRR Subpart 244-8: Compliance Certification
48 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
49 6 NYCRR Subpart 245-2: Designated CAIR Representative
50 6 NYCRR Subpart 245-8: Compliance Certification
51 40CFR 52.21, Subpart A: Compliance Certification
52 40CFR 63, Subpart ZZZZ: Applicability
53 40CFR 63.6650(f), Subpart ZZZZ: Title V and NESHAP reporting
54 40 CFR Part 64: Compliance Certification

Emission Unit Level

55 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
56 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
57 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

EU=U-00001

2-2 40CFR 52.21, Subpart A: Compliance Certification
58 40CFR 52.21, Subpart A: Compliance Certification
59 40CFR 52.21, Subpart A: Compliance Certification
60 40CFR 52.21, Subpart A: Compliance Certification
61 40CFR 52.21, Subpart A: Compliance Certification
62 40CFR 52.21, Subpart A: Compliance Certification
63 40CFR 52.21, Subpart A: Compliance Certification
65 40CFR 52.21, Subpart A: Compliance Certification
66 40CFR 52.21, Subpart A: Compliance Certification
67 40CFR 52.21(j)(2), Subpart A: Compliance Certification
68 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
69 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
70 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification - if a COM is used.
71 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
72 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
73 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
74 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
75 40CFR 60.9, NSPS Subpart A: Availability of information.
76 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
77 40CFR 60.12, NSPS Subpart A: Circumvention.
78 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
79 40CFR 60, NSPS Subpart Db: Compliance Certification
80 40CFR 60.49b, NSPS Subpart Db: Recordkeeping and reporting requirements.

EU=U-00001,EP=00001

81 6 NYCRR 227-1.3 (a): Compliance Certification
82 40CFR 52.21(j)(2), Subpart A: Compliance Certification
83 40CFR 52.21(j)(2), Subpart A: Compliance Certification
84 40CFR 52.21(j)(2), Subpart A: Compliance Certification

EU=U-00002

85 40CFR 63.6590(a)(1), Subpart ZZZZ: Existing RICE greater than 500 hp at a HAP major facility
86 40CFR 63.6645(a), Subpart ZZZZ: Compliance Certification

EU=U-00002

87 40CFR 63.6645(g), Subpart ZZZZ: Notification of intent to conduct performance test
88 40CFR 63.6650(b), Subpart ZZZZ: Compliance reports
89 40CFR 63.6650(c), Subpart ZZZZ: Contents of compliance reports
90 40CFR 63.6650(d), Subpart ZZZZ: Deviation reports
91 40CFR 63.6650(e), Subpart ZZZZ: Deviation reporting to be included in compliance reports
92 40CFR 63.6655(a), Subpart ZZZZ: Compliance Certification
93 40CFR 63.6660, Subpart ZZZZ: Compliance Certification

EU=U-00005

94 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
95 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
96 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification - if a COM is used.
97 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
98 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
99 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
100 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
101 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level

102 ECL 19-0301: Contaminant List
103 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
104 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
105 6 NYCRR 242-1.5: Compliance Demonstration
106 6 NYCRR 242-1.5: Compliance Demonstration
107 6 NYCRR Subpart 242-4: Compliance Demonstration
108 6 NYCRR Subpart 242-8: Compliance Demonstration
109 6 NYCRR 242-8.5: 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 - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
(3) During the period of the emergency the facility owner 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 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 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 - 6 NYCRR 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 6 NYCRR 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 201-6.2 (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 201-6.2 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (a) (6)**

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

Item I: **Severability - 6 NYCRR 201-6.4 (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 201-6.4 (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 201-6.4 (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 AT ALL TIMES

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

Condition 1: **Acceptable Ambient Air Quality**
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 15: **Fees**
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)

Item 15.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

Condition 18: **Recordkeeping and Reporting of Compliance Monitoring**
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (c)

Item 18.1:
The following information must be included in any required compliance monitoring records and reports:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

Condition 19: Records of Monitoring, Sampling, and Measurement
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)

Item 19.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 20: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (3) (ii)

Item 20.1:
The Compliance Certification activity will be performed for the Facility.

Item 20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
To meet the requirements of this facility permit with respect to reporting, the permittee must:

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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill

Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 22: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (e)

Item 22.1:
The Compliance Certification activity will be performed for the Facility.

Item 22.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

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

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

The address for the RAPCE is as follows:

State Office Building
317 Washington Street
Watertown, NY 13601-3787

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2014.
Subsequent reports are due on the same day each year

Condition 2: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 2.1:
The Compliance Certification activity will be performed for the Facility.

Item 2.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Frequency: ANNUALLY

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

Condition 3: Recordkeeping requirements
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 3.1:
(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

Condition 4: Open Fires - Prohibitions
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 215.2

Item 4.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 4.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.

(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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 5: Maintenance of Equipment
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 200.7

Item 5.1:
Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 6: Recycling and Salvage
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 6.1:
Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

Condition 7: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 7.1:
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 8: Exempt Sources - Proof of Eligibility
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 8.1:
The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

Condition 9: Trivial Sources - Proof of Eligibility
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 9.1:
The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

Condition 14: Requirement to Provide Information
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)

Item 14.1:
The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 16: Right to Inspect
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)

Item 16.1:
The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

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

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

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 17: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)

Item 17.1:
The Compliance Certification activity will be performed for the Facility.

Item 17.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The Division of Air Resources (DAR) has developed a process under official policy, DAR-3 Alternative Fuels, to evaluate, determine facility specific suitability and approve the use of alternative fuels in solid fuel fired combustion sources. The first requirement of this policy is to have the waste obtain a beneficial use determination (BUD) from the Division of Materials Management. The BUD process is used to determine if the solid waste in question is eligible to be considered as a fuel at a specific combustion facility. If a waste or material is granted a BUD as a solid waste derived fuel the applicant is not further required to obtain a Solid Waste Permit. It should be noted that a BUD does not automatically allow a facility to fire the material in question in a combustion source without further evaluation by the DAR using the DAR-3 alternate fuel evaluation policy. The DAR reserves the right to implement permit conditions that ensure the proposed alternative fuel or material will not cause an increase in emissions from the facility to exceed

permit authorized thresholds. These conditions may include but are not limited to fuel delivery monitoring, fuel sampling, establishing of specific emission limits based on constituents found in the waste derived fuel, and record keeping.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Off Permit Changes
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)

Item 23.1:
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

Condition 10: Required Emissions Tests
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 10.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 11: Accidental release provisions.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40 CFR Part 68

Item 11.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

Condition 12: Recycling and Emissions Reduction
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 82, Subpart F

Item 12.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 13: Emission Unit Definition
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 13.1(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00001
Emission Unit Description:
Emission Unit U00001 represents the common exhaust point for 3 circulating fluidized bed boilers. The proposed modified heat input is 266 mmbtu/hr when all 3 boilers are operating and 284 mmbtu/hr when any 1 or 2 boilers are operating or 1 or 2 operating at reduced load when all 3

boilers are operating. The proposed fuels to be combusted are clean wood, unadulterated wood from C+D debris, glued wood creosote treated wood, tire derived fuel and non-recyclable fibrous material (waste paper). These steam boilers are designated as sources E0001, E0002, and E0003.

Building(s): BUILDING A

Item 13.2(From Mod 0):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00002
Emission Unit Description:
This emission unit represents the operation of a diesel electrical generator set manufactured by Mitsubishi and rated at 13 MMBTU/HR. This is generator A.

Building(s): BLDG. C

Item 13.3(From Mod 0):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00003
Emission Unit Description:
This emission unit represents the operation of a diesel electrical generator set manufactured by Mitsubishi and rated at 13 MMBTU/HR. This is generator B.

Building(s): BLDG. C

Item 13.4(From Mod 0):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00004
Emission Unit Description:
This emission unit represents the operation of a diesel electrical generator set manufactured by Mitsubishi and rated at 11.5 MMBTU/HR. This is generator C.

Building(s): BLDG. C

Item 13.5(From Mod 0):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00005
Emission Unit Description:
This emission unit represents solid fuel, stockpiled outdoors, and maintained in inventory to support combustion operations and includes machinery used to process, transport, and convey to fuel stockpile and boiler fuel supply.

Condition 21: Progress Reports Due Semiannually
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)

Item 21.1:
Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

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

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

Condition 24: Capping Monitoring Condition
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 24.1:
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:

6 NYCRR 201-6.1 (a) (1)

Item 24.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 24.3:
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 24.4:
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 24.5:
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 24.6:

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

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00004

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

Item 24.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
OPERATION OF EACH GENERATOR (EMISSION SOURCES E0004, E0005, & E0006) CANNOT EXCEED 500 HOURS PER YEAR CALCULATED ON A MONTHLY ROLLING BASIS.

Work Practice Type: HOURS PER YEAR OPERATION
Manufacturer Name/Model Number: Mitsubishi Diesel Generator
Upper Permit Limit: 500 hours
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL TOTAL ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 25: Air pollution prohibited
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 211.1

Item 25.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 2-1: Compliance Certification
Effective between the dates of 11/01/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 225-1

Item 2-1.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-1.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Sulfur content of No. 2 fuel oil fired at the facility shall not exceed 0.2% by weight. Sulfur content will be determined by vendor supplied analysis.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.2 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 26: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 225-1

Item 26.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 26.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Sulfur content of No. 2 fuel oil fired at the facility shall not exceed 0.2% by weight. Sulfur content will be determined by vendor supplied analysis.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.2 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 27: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 227-2.1

Item 27.1:
The Compliance Certification activity will be performed for the Facility.

Item 27.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
ReEnergy is subject to NOx RACT under Part 227-2.
ReEnergy must submit a NOx RACT analysis describing applicable control technologies and cost analysis within 6 months after permit issuance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 28: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 227.2 (b) (1)

Item 28.1:
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

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

Item 28.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Manufacturer Name/Model Number: PYROPOWER BOILERS & MITSUBISHI DIESEL GENERATORS
Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 29: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 231-8

Item 29.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

Item 29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The owner or operator of the facility shall calculate the carbon dioxide equivalent annual emissions. This limit shall be calculated using the following equation:

CO2e = CO2 (actual monitored emissions) + CH4 (40 CFR 98, Table C-2 emission factor lb/mmbtu) * MMBtu/yr (actually monitored heat input) * 231-13 Table 9 + N2O (40 CFR 98, Table C-2 emission factor lb/mmbtu) * MMBtu/yr (actually monitored heat input) * 231-13 Table 9

The limit for emissions of carbon dioxide equivalents shall be based upon the higher heating value of the fuel and shall apply at all loads of operation and during startup and shutdown. The owner or operator must maintain all records associated with these requirements on site or at a location acceptable to the Department for a minimum of five years.

Parameter Monitored: CARBON DIOXIDE EQUIVALENTS
Upper Permit Limit: 658,951 tons per year
Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 30: NOx Ozone Season Budget
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 243-1

Item 30.1:

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 their compliance account, 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 ozone season units at the source during that control period.

(2) A CAIR NOx ozone season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of this section, for a control period in a calendar year before the year for which the CAIR NOx ozone season allowance was allocated.

(3) 'Excess emissions requirements.' If a CAIR NOx ozone season source emits nitrogen oxides during any control period in excess of the CAIR NOx ozone season emissions limitation, the

owners and operators of the source and each CAIR NOx ozone season unit at the 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.

(4) Unless otherwise provided, the owners and operators of the CAIR NOx ozone season source and each CAIR NOx ozone season unit 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:

(i) The certificate of representation under 6NYCRR Part 243-2.4 for the CAIR NOx ozone sesason 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 NOx ozone season designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 234-8, 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 31: Permit Requirements
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 31.1:
The CAIR designated representative of each CAIR NOx Ozone Season source shall:
(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

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

Condition 32: Monitoring requirements
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-1.6 (b)

Item 32.1:
The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

Condition 33: NOx Ozone Season Emission Requirements
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-1.6 (c)

Item 33.1:
As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NOx ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NOx Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.

CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under section 243-1.5 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

A CAIR NOx Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Condition 34: Excess emission requirements
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 34.1:
If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

(1) the owners and operators of the source and each CAIR NOx Ozone Season unit at the source shall surrender the CAIR NOx Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

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

Condition 35: Recordkeeping and reporting requirements
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 35.1:
Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR 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 36: CAIR Representative
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 243-2

Item 36.1:

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 37: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-2.1

Item 37.1:
Except as provided under section 243-2.2, each CAIR NOx Ozone Season source, including all CAIR NOx Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NOx Ozone Season Trading Program concerning the source or any CAIR NOx Ozone Season unit at the source.

The CAIR designated representative of the CAIR NOx Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NOx Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx Ozone Season source represented and each CAIR NOx Ozone Season unit at the

source 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 or unit.

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

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."

Condition 38: Certificate of representation
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-2.4

Item 38.1:
Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

Condition 39: Monitoring and reporting NOx emissions
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 243-8

Item 39.1:

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 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 243 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NOx emission controls and for all hours where NOx 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 NOx 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 NOx 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 NOx 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 40: General requirements
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 40.1:
The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NOx Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NOx Ozone Season unit shall:

(1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);

(2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph 243-8.1(a)(1); and

(3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

Condition 41: Prohibitions

Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 41.1:
No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NOx Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NOx Ozone Season unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:
(i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
(ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
(iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

Condition 42: Out of control periods
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-8.3

Item 42.1:
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.

Condition 43: Quarterly reports
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR 243-8.5 (d)

Item 43.1:

The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NOx Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NOx emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NOx mass emissions) for such unit for the entire year and shall report the NOx mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

(i) for a unit that commences commercial operation before July 1, 2007, the calendar quarter covering May 1, 2008 through June 30, 2008;

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

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

For CAIR 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 (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 NOx mass emission data, heat input data, and other information required by this Subpart.

Condition 44: Compliance certification
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 44.1:
The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

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

(2) for a unit with add-on NOx emission controls and for all hours where NOx 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 NOx emissions; and

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this

section, the NOx emission rate and NOx concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NOx emissions.

Condition 45: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 45.1:
The Compliance Certification activity will be performed for the Facility.

Item 45.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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.

Reporting Requirements: MARCH 1

Condition 46: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 46.1:
The Compliance Certification activity will be performed for the Facility.

Item 46.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1) Each 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.

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."

Reporting Requirements: MARCH 1

Condition 47: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 47.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 47.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Monitoring and Reporting NOX emissions

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

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

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

(4) For CAIR 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 NOx emission controls and for all hours where NOx 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 NOx 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 NOx 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 NOx 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 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 48: CAIR SO2 Trading Program General Provisions

Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 48.1:
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 SO2 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 49: Designated CAIR Representative
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 245-2

Item 49.1:
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 50: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 245-8

Item 50.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 50.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring and Reporting 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 NOX Annual Trading Program, CAIR NOX 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 7/30/2013.

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

Condition 51: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 51.1:
The Compliance Certification activity will be performed for the Facility.

Item 51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
A summary of emission limits and operating restrictions must be posted in the control room in plain sight of the operator.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2014.
Subsequent reports are due every 12 calendar month(s).

Condition 52: Applicability
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 52.1:
Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

Condition 53: Title V and NESHAP reporting
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6650(f), Subpart ZZZZ

Item 53.1:
This Condition applies to:

Emission Unit: U00002

Emission Unit: U00003

Emission Unit: U00004

Item 53.2:

Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

Condition 54: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40 CFR Part 64

Item 54.1:
The Compliance Certification activity will be performed for the Facility.

Item 54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

This facility is subject to the Compliance Assurance Monitoring Rule (CAM Rule). The owner or operator of this facility must submit a plan to the Department for its review and approval showing how they will comply with this rule. The plan must include the following:

- An indicator to be monitored to show compliance with the applicable emission limit or standard.
- The ranges or designated conditions for such indicators, or the process by which such indicators ranges or designed conditions will be established.
- the performance criteria for the monitoring stated above
- if applicable, the indicator ranges and performance criteria for a CEMS, COMS or PEMS (if used).

The owner or operator of this facility shall submit an annual report of the monitoring required above. The report shall include the following:

- summary of information on the number, duration and cause (including unknown cause) of excursions or exceedances, as applicable, and the corrective actions taken;
- summary information on the number, duration and cause (including unknown cause) for monitor downtime incidents

(other than downtime associated with zero and span or other daily calibration checks if applicable); and
- a description of the actions taken to implement a Quality Improvement Plan (QIP) during the reporting period. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2014.
Subsequent reports are due every 12 calendar month(s).

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

Condition 55: Emission Point Definition By Emission Unit
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 55.1(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00001

Emission Point: 00001
Height (ft.): 235 Diameter (in.): 102
NYTMN (km.): 4876.235 NYTME (km.): 438.094 Building: BLDG A

Item 55.2(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00002

Emission Point: 00002
Height (ft.): 11 Diameter (in.): 12
NYTMN (km.): 4876.253 NYTME (km.): 438.208 Building: BLDG. C

Item 55.3(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00003

Emission Point: 00003
Height (ft.): 11 Diameter (in.): 12
NYTMN (km.): 4876.255 NYTME (km.): 438.205 Building: BLDG. C

Item 55.4(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00004

Emission Point: 00004
Height (ft.): 11 Diameter (in.): 12
NYTMN (km.): 4876.25 NYTME (km.): 438.205 Building: BLDG. C

Item 55.5(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00005

Emission Point: 00007
Height (ft.): 100 Length (in.): 5400 Width (in.): 3780
NYTMN (km.): 4876.26 NYTME (km.): 438.245

Emission Point: 00008
Height (ft.): 100 Length (in.): 1680 Width (in.): 1080
NYTMN (km.): 4876.253 NYTME (km.): 438.25

Condition 56: Process Definition By Emission Unit
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 56.1(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: C01 Source Classification Code: 1-01-009-03
Process Description:
This process is for combustion of wood fired alone or in combination with other fuels in one or more boilers. The process ID has been renumbered from the existing ID (C04) in the current permit to C01.

Emission Source/Control: E0001 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0002 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0003 - Combustion
Design Capacity: 284 million Btu per hour

Item 56.2(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001

Process: C02 Source Classification Code: 1-01-009-03
Process Description:
This process is for combustion of unadulterated wood separated from C&D debris, as approved by a BUD, fired alone or in combination with other fuels in one or more boilers. Combustion of this fuel is allowed only in accordance with the provisions of an approved BUD.

Emission Source/Control: E0001 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0002 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0003 - Combustion
Design Capacity: 284 million Btu per hour

Item 56.3(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: C03 Source Classification Code: 1-01-005-01
Process Description:
This process is for the combustion of fuel oil fired alone or in combination with other fuels in one or more boilers.

Emission Source/Control: E0001 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0002 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0003 - Combustion
Design Capacity: 284 million Btu per hour

Item 56.4(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: C04 Source Classification Code: 1-01-012-01
Process Description:
This process is for the co-firing of an alternative fuel, tire derived fuel (TDF), fired in combination with other fuels in one or more boilers and limited to 30 weight percent or less of the total fuel feed. This process has been re-numbered from C08.

Emission Source/Control: E0001 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0002 - Combustion

Design Capacity: 284 million Btu per hour

Emission Source/Control: E0003 - Combustion
Design Capacity: 284 million Btu per hour

Item 56.5(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: C05 Source Classification Code: 1-01-012-01
Process Description:
This process is for the co-firing of an alternative fuel, creosote treated wood (CTW), fired in combination with other fuels in one or more boilers and limited to 30 weight percent or less of the total fuel feed. Combustion of this fuel is allowed only in accordance with the provisions of an approved BUD.

Emission Source/Control: E0001 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0002 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0003 - Combustion
Design Capacity: 284 million Btu per hour

Item 56.6(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: C06 Source Classification Code: 1-01-012-01
Process Description:
This process is for the co-firing of an alternative fuel, glued wood (particle board and plywood), fired in combination with other fuels in one or more boilers and limited to 30% or less of the total fuel feed. Combustion of this fuel is allowed only in accordance with the provisions of an approved BUD.

Emission Source/Control: E0001 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0002 - Combustion
Design Capacity: 284 million Btu per hour

Emission Source/Control: E0003 - Combustion
Design Capacity: 284 million Btu per hour

Item 56.7(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: D01 Source Classification Code: 2-02-001-02
Process Description:
This process is for internal combustion of fuel oil for the purpose of peak electrical shaving and internal power generation.

Emission Source/Control: E0004 - Combustion
Design Capacity: 13 million Btu per hour

Item 56.8(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: D02 Source Classification Code: 2-02-001-02
Process Description:
This process is for internal combustion of fuel oil for the purpose of peak electrical shaving and internal power generation.

Emission Source/Control: E0005 - Combustion
Design Capacity: 13 million Btu per hour

Item 56.9(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: D03 Source Classification Code: 2-02-001-02
Process Description:
This process is for internal combustion of fuel oil for the purpose of peak electrical shaving and internal power generation.

Emission Source/Control: E0006 - Combustion
Design Capacity: 11.5 million Btu per hour

Item 56.10(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00005
Process: S01 Source Classification Code: 2-02-001-02
Process Description:
This process includes associated machinery require to process, transport, and convey solid fuel from receiving to stockpile to boiler fuel supply which includes unloading, stack-out, and reclaim conveyors.

Emission Source/Control: E0007 - Process
Design Capacity: 30,000 tons per day

Emission Source/Control: E0009 - Process
Design Capacity: 60,000 tons per day

Condition 57: Emission Unit Permissible Emissions
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 57.1:
The sum of emissions from all regulated processes specified in this permit for the emission unit cited
shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00002

CAS No: 0NY210000 (From Mod 0)
Name: OXIDES OF NITROGEN
PTE(s): 57.33 pounds per hour
28,665 pounds per year

Emission Unit: U-00003

CAS No: 0NY210000 (From Mod 0)
Name: OXIDES OF NITROGEN
PTE(s): 28,665 pounds per year
57.33 pounds per hour

Emission Unit: U-00004

CAS No: 0NY210000 (From Mod 0)
Name: OXIDES OF NITROGEN
PTE(s): 25,357 pounds per year
50.72 pounds per hour

Condition 2-2: Compliance Certification
Effective between the dates of 11/01/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-2.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-2.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
PSD NOx limit for the fluidized bed boiler system. To aid in permit streamlining, this also covers the NOx

emission limit and monitoring requirements of 40 CFR 60.44b(a) and 40 CFR 60.48b(b). This emission limit also applies to Part 227-2.4(b). The averaging method is 24 hours during the ozone season (May 1 - September 30) of each year. The averaging method is 30 days outside of the ozone season. If ReEnergy cannot meet this NOx emission limit, within the first 6 montlhs of permit issuance, ReEnergy can develop startup and shutdown limitations. The demonstrated emissions from those startups and shutdowns will be used to develop those emission limits.

Manufacturer Name/Model Number: TECO Model 42C-HL
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.170 pounds per million Btus
Reference Test Method: 40CFR60, APP. B & F
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2014.
Subsequent reports are due every 3 calendar month(s).

Condition 58: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 58.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
A SUMMARY OF EMISSION LIMITS AND OPERATING RESTRICTIONS SHALL BE POSTED IN THE CONTROL ROOM IN PLAIN VIEW OF OPERATING PERSONNEL.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2014.
Subsequent reports are due every 12 calendar month(s).

Condition 59: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 59.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Fuel derived from glued wood, creosote treated wood and construction and demolition debris (CDD) must be sampled and subjected to Confirmatory Analysis (i.e., proximate and ultimate analyses) in conformance with §§ 5.5.5 to 5.5.8 inclusively and Section 6 of Attachment 3 of the approved application for a Beneficial Use Determination (BUD) dated January 3, 2013. The ultimate analysis is used to determine the composition of a sample in weight percent of carbon, hydrogen, oxygen, sulfur and nitrogen. The proximate analysis is used to determine the Higher Heating Value, percent moisture, percent ash, percent volatile material and percent fixed carbon.

In addition to the above, ReEnergy must perform Confirmatory Analysis on fuel delivered to the facility at least once each year for each supplier.

All sample results must be kept at the facility for a period of five years and made available to Department staff 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 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 60.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
PSD NOx limit for the fluidized bed boiler system. To aid in permit streamlining, this also covers the NOx emission limit and monitoring requirements of 40 CFR 60.44b(a) and 40 CFR 60.48b(b). This emission limit also applies to Part 227-2.4(b).

Manufacturer Name/Model Number: TECO Model 42C-HL
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 538.0 tons per year
Reference Test Method: 40CFR60, APP. B & F
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 61: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 61.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
In stack continuous emission monitoring of carbon monoxide for the common 3 boiler exhaust.

Manufacturer Name/Model Number: TECO Model 48C
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 234.1 tons per year
Reference Test Method: 40 CFR 60 APPENDIX A
Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 62: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 62.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
In the 3 fluidized bed boilers, the maximum amount of all "alternative" fuels fired at any time is limited to 30% by weight. Alternative fuels are defined by processes C02, C04, C05, and C06.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: FUEL
Upper Permit Limit: 30 percent
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 63: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 63.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 63.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
ReEnergy shall monitor steam flow as a surrogate to monitoring heat input. 182,000 lb/hr corresponds to 266 mmbtu/hr and 192,500 lb/hr corresponds to 284 mmbtu/hr. Since steam flow is a function of boiler efficiency, boiler efficiency shall be calibrated and updated every month.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: STEAM FLOW RATE
Upper Permit Limit: 192,500 pounds per hour
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 65.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
ReEnergy shall employ the "grid test" which consists of a 10 by 10 grid placed over the wood stream and checked to determine the percentage of glued wood, treated/painted wood, and non-wood materials. If it is determined that the percentage of glued wood is between 0 and 1.0% by volume, then the percentage of glued wood for that load is 1%. If it is determined that the percentage of glued wood is between 1% and 20% by volume, the percentage of glued wood for that load is 20%. If it is determined that the percentage of glued wood is greater than 20% by volume, then the load is considered to 100% glued wood. This method shall be employed once every 5 loads per supplier.

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 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 66.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The in stack continuous emission monitoring of sulfur dioxide for the common three boiler exhaust. This also covers the sulfur dioxide emissions limit given in 6 NYCRR Part 225-1.

Manufacturer Name/Model Number: Teco 43C-HL
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.230 pounds per million Btus
Reference Test Method: 40CFR60, APP. B & F
Monitoring Frequency: CONTINUOUS
Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 67: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21(j)(2), Subpart A

Item 67.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
A BACT determination for these 3 boilers limits PM/PM-10 emissions from each source to 0.015 lb/mmbtu.

Manufacturer Name/Model Number: Pyropower, 284 mmbtu/hr
Upper Permit Limit: 0.015 pounds per million Btus
Reference Test Method: EPA Method 5 and 202
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 68: Applicability of General Provisions of 40 CFR 60 Subpart A
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 68.1:
This Condition applies to Emission Unit: U-00001

Item 68.2:
This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 69: EPA Region 2 address.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 69.1:
This Condition applies to Emission Unit: U-00001

Item 69.2:
All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

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

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

NYSDEC

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

Condition 70: Date of Construction Notification - if a COM is used.
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 70.1:
This Condition applies to Emission Unit: U-00001

Item 70.2:
Any owner or operator subject to this part shall furnish the Administrator with the following information:

1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;

3) a notification of the actual date of initial start up, postmarked within 15 days after such date;

4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR 60. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, postmarked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

Condition 71: Recordkeeping requirements.
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 71.1:

This Condition applies to Emission Unit: U-00001

Item 71.2:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 72: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 72.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 72.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be postmarked no later than 30 calendar days following the end of the reporting period, and shall contain the following information:

1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;

2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;

3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and

4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 73: Excess Emissions Report
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 73.1:
This Condition applies to Emission Unit: U-00001

Item 73.2:
A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 74: Facility files for subject sources.
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 74.1:
This Condition applies to Emission Unit: U-00001

Item 74.2:
The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 75: Availability of information.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 75.1:
This Condition applies to Emission Unit: U-00001

Item 75.2:
The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

Condition 76: Compliance with Standards and Maintenance Requirements

Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A

Item 76.1:
This Condition applies to Emission Unit: U-00001

Item 76.2:
At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source

Condition 77: Circumvention.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 77.1:
This Condition applies to Emission Unit: U-00001

Item 77.2:
No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 78: Monitoring requirements.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 78.1:
This Condition applies to Emission Unit: U-00001

Item 78.2:
All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 79: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60, NSPS Subpart Db

Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 79.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Each boiler under this emission unit is subject to 40 CFR 60, Subpart Db including the emission limits, monitoring requirements, and reporting requirements.

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 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 80: Recordkeeping and reporting requirements.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.49b, NSPS Subpart Db

Item 80.1:
This Condition applies to Emission Unit: U-00001

Item 80.2:
This facility is subject to the provisions of Subpart Db. Therefore, the facility must meet the record keeping and reporting requirements of section 40 CFR 60.49b.

Condition 81: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 81.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

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

Item 81.2:
Compliance Certification shall include the following monitoring:

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

IN STACK CONTINUOUS EMISSION MONITORING
OF OPACITY FOR THE COMMON THREE PYROPOWER
BOILER EXHAUST. TO AID IN PERMIT
STREAMLINING, THIS ALSO COVERS THE
OPACITY EMISSION LIMIT AND MONITORING
REQUIREMENTS OF 40 CFR 60.43b(f) AND 40
CFR 60.48b(a).

Manufacturer Name/Model Number: LIGHTHAWK MODEL 560
Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR 60 APPENDIX A, METHOD 9
Monitoring Frequency: CONTINUOUS
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 82: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21(j)(2), Subpart A

Item 82.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

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

Item 82.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Facility is limited to operating a total heat input of 6.330E+6
million btu per year calculated on a monthly rolling average for the 3
boilers. Records of heat input must be maintained to determine
compliance.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: FUEL
Upper Permit Limit: 6.330E+6 million Btu per hour
Monitoring Frequency: MONTHLY
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 83: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21(j)(2), Subpart A

Item 83.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

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

Item 83.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Facility heat input is limited to a maximum of 798.0 mmbtu/hr for the 3 Pyropower boilers.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: FUEL
Upper Permit Limit: 798.0 million Btu per hour
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 84: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 52.21(j)(2), Subpart A

Item 84.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

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

Item 84.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:

IN STACK CONTINUOUS EMISSION MONITORING OF CARBON MONOXIDE FOR THE COMMON THREE BOILER EXHAUST. IF REENERGY CANNOT MEET THIS CO EMISSION LIMIT, WITHIN 1 YEAR OF PERMIT ISSUANCE (APPROX. 10 - 15 STARTUPS AND/OR SHUTDOWNS), REENERGY CAN DEVELOP STARTUP AND SHUTDOWN LIMITATIONS FOR CARBON MONOXIDE. THE DEMONSTRATED EMISSIONS FROM THOSE 10 - 15 STARTUPS/SHUTDOWNS WILL BE USED TO DEVELOP THOSE EMISSION LIMITS.

Manufacturer Name/Model Number: TECO Model 48C
Upper Permit Limit: 0.0740 pounds per million Btus
Reference Test Method: 40 CFR 60 APPENDIX A, METHOD 10
Monitoring Frequency: CONTINUOUS
Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 85: Existing RICE greater than 500 hp at a HAP major facility
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6590(a)(1), Subpart ZZZZ

Item 85.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Item 85.1:
This Condition applies to Emission Unit: U-00002

Item 85.2.3:
An affected source is any existing stationary reciprocating internal combustion engine (RICE) with a site-rating of more than 500 brake horsepower located at a major source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

A stationary RICE is existing if construction or reconstruction commenced before December 19, 2002.

Condition 86: Compliance Certification

Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6645(a), Subpart ZZZZ

Item 86.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

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

Item 86.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4), and (f)(6), 63.9(b)-(e), 63.9(g) and (h) that apply to the facility by the dates specified in the provision.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 87: Notification of intent to conduct performance test
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6645(g), Subpart ZZZZ

Item 87.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Item 87.1:
This Condition applies to Emission Unit: U-00002

Item 87.2.3:
Facilities required to conduct a performance tests must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 40 CFR 63.7(b)(1).

Condition 88: Compliance reports
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6650(b), Subpart ZZZZ

Item 88.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Item 88.1:
This Condition applies to Emission Unit: U-00002

Item 88.2.3:
Unless the EPA Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the owner or operator must submit each report by the date in Table 7 of subpart ZZZZ and according to the requirements in paragraphs (1) through (9).

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for the affected source in 40 CFR 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for the source in 40 CFR 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for the affected source in 40 CFR 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), the owner or operator may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (1) through (4) above.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for the affected source in 40 CFR 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for the affected source in 40 CFR 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

Condition 89: Contents of compliance reports
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6650(c), Subpart ZZZZ

Item 89.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Item 89.1:
This Condition applies to Emission Unit: U-00002

Item 89.2.3:
The Compliance report must contain the information in paragraphs (1) through (6).

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If the facility had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.6605(b), including actions taken to correct a malfunction.

(5) If there are no deviations from any emission or operating limitations that apply to the facility, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

Condition 90: Deviation reports
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6650(d), Subpart ZZZZ

Item 90.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Item 90.1:
This Condition applies to Emission Unit: U-00002

Item 90.2.3:
For each deviation from an emission or operating limitation that occurs for a stationary RICE where the facility is not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (1) through (4) below and the information in 40 CFR 63.6650 (d)(1) and (2).

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

Condition 91: Deviation reporting to be included in compliance reports
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6650(e), Subpart ZZZZ

Item 91.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Item 91.1:
This Condition applies to Emission Unit: U-00002

Item 91.2.3:
For each deviation from an emission or operating limitation occurring for a stationary RICE where the facility is using a CMS to comply with the emission and operating limitations in 40 CFR 63 Subpart ZZZZ, the compliance report must include information in paragraphs 40 CFR 63.6650(c)(1) through (4) and (1) through (12) below.

(1) The date and time that each malfunction started and stopped.

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out-of-control, including the information in 40 CFR 63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

Condition 92: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6655(a), Subpart ZZZZ

Item 92.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Item 92.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The facility must keep the records described in paragraphs (1) through (5).

(1) A copy of each notification and report that the owner or operator submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that he/she submitted, according to the requirement in 40 CFR

63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 93: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 63.6660, Subpart ZZZZ

Item 93.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Item 93.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1).

As specified in 40 CFR 63.10(b)(1), the owner or operator must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

The owner or operator must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 94: Applicability of General Provisions of 40 CFR 60 Subpart A
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 94.1:
This Condition applies to Emission Unit: U-00005

Item 94.2:
This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 95: EPA Region 2 address.
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 95.1:
This Condition applies to Emission Unit: U-00005

Item 95.2:
All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

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

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

NYSDEC
Bureau of Quality Assurance
625 Broadway

Albany, NY 12233-3258

Condition 96: Date of Construction Notification - if a COM is used.
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 96.1:
This Condition applies to Emission Unit: U-00005

Item 96.2:
Any owner or operator subject to this part shall furnish the Administrator with the following information:

1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;

3) a notification of the actual date of initial start up, postmarked within 15 days after such date;

4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR 60. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, postmarked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

Condition 97: Recordkeeping requirements.
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 97.1:
This Condition applies to Emission Unit: U-00005

Item 97.2:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 98: Compliance Certification
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 98.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 98.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be postmarked no later than 30 calendar days following the end of the reporting period, and shall contain the following information:

1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;

2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;

3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and

4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 99: Excess Emissions Report
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 99.1:
This Condition applies to Emission Unit: U-00005

Item 99.2:
A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 100: Facility files for subject sources.
Effective between the dates of 05/20/2013 and 05/19/2018

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

Item 100.1:
This Condition applies to Emission Unit: U-00005

Item 100.2:
The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 101: Compliance with Standards and Maintenance Requirements
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A

Item 101.1:
This Condition applies to Emission Unit: U-00005

Item 101.2:
At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity

observations, review of operating and maintenance procedures, and inspection of the source

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 102: Contaminant List
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:ECL 19-0301

Item 102.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000124-38-9
Name: CARBON DIOXIDE

CAS No: 000630-08-0
Name: CARBON MONOXIDE

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

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

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

CAS No: 0NY100-00-0
Name: TOTAL HAP

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

CAS No: 0NY750-00-0
Name: CARBON DIOXIDE EQUIVALENTS

Condition 103: Malfunctions and start-up/shutdown activities
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR 201-1.4

Item 103.1:
(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 104: Unavoidable noncompliance and violations
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR 201-1.4

Item 104.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

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

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

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

Condition 105: Compliance Demonstration
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR 242-1.5

Item 105.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 105.2:
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 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 106: Compliance Demonstration
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR 242-1.5

Item 106.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 106.2:
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 7/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 107: Compliance Demonstration
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR Subpart 242-4

Item 107.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000124-38-9 CARBON DIOXIDE

Item 107.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Annual Compliance Certification Report:

(a) For each control period in which a CO2 budget source is subject to the CO2 requirements of subdivision 242-1.5(c) of this Part, CO2 authorized account representative of the source shall submit to the department by March 1st following the relevant control period, a compliance certification report. The control period is a three-calendar-year time period.

(b) The compliance certification report shall include the following elements:

(1) identification of the source and each CO2 budget unit at the source;

(2) as an option, the serial numbers of the CO2 allowances that are to be deducted from the source's compliance account under section 242-6.5 of this Part for the control period, including the serial numbers of any CO2 offset allowances that are to be deducted subject to the limitations of section 242-6.5(a)(3) of this Part; and

(3) the compliance certification under subdivision (c) of this section (below).

(c) In the compliance certification report the CO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the CO2 budget units at the source in compliance with the CO2 Budget Trading Program, whether the source and each CO2 budget unit at the source for which the compliance certification is submitted was operated during the calendar years covered by the report in compliance with the requirements of the CO2 Budget Trading Program, including:

(1) whether the source was operated in compliance with the CO2 requirements of section 242-1.5(c) of this Part;

(2) whether the monitoring plan applicable to each unit at the source has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute CO2 emissions to the unit, in accordance with Subpart 242-8 of this Part;

(3) whether all the CO2 emissions from the units at the source 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 242-8 of this Part. 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;

(4) whether the facts that form the basis for certification under Subpart 242-8 of each monitor at each unit at the source, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 242-8 of this Part, if any, have changed; and

(5) if a change is required to be reported under paragraph (c)(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 108: Compliance Demonstration
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR Subpart 242-8

Item 108.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000124-38-9 CARBON DIOXIDE

Item 108.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Recordkeeping and Reporting (6NYCRR Part 242-8.5)

(a) General provisions. The CO2 authorized account representative shall comply with all recordkeeping and reporting requirements in this section, the applicable record keeping and reporting requirements under 40 CFR

75.73 and with the requirements of section 242-2.1(e) of this Part.

(b) Monitoring plans. The owner or operator of a CO2 budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO2 authorized account representative shall submit an application to the department within 45 days after completing all CO2 monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).

(d) Quarterly reports. The CO2 authorized account representative shall submit quarterly reports, as follows:

(1) The CO2 authorized account representative shall report the CO2 mass emissions data and heat input data for the CO2 budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO2 authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO2 budget unit (or group of units using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NOx, and SO2 provisions.

(3) The CO2 authorized account representative shall submit to the department or its agent a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(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;

(ii) for a unit with add-on CO2 emissions controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emissions controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of 40 CFR part 75 and the substitute values do not systematically underestimate CO2 emissions; and

(iii) the CO2 concentration values substituted for

missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO2 emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).

Condition 109: Compliance Demonstration
Effective between the dates of 05/20/2013 and 05/19/2018

Applicable State Requirement:6 NYCRR 242-8.5

Item 109.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000124-38-9 CARBON DIOXIDE

Item 109.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Recordkeeping and Reporting (6NYCRR Part 242-8.5)

(a) General provisions. The CO2 authorized account representative shall comply with all recordkeeping and reporting requirements in this section, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of section 242-2.1(e) of this Part.

(b) Monitoring plans. The owner or operator of a CO2 budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO2 authorized account representative shall submit an application to the department within 45 days after completing all CO2 monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).

(d) Quarterly reports. The CO2 authorized account representative shall submit quarterly reports, as follows:
(1) The CO2 authorized account representative shall report the CO2 mass emissions data and heat input data for

the CO2 budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO2 authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO2 budget unit (or group of units using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NOx, and SO2 provisions.

(3) The CO2 authorized account representative shall submit to the department or its agent a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(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;

(ii) for a unit with add-on CO2 emissions controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emissions controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of 40 CFR part 75 and the substitute values do not systematically underestimate CO2 emissions; and

(iii) the CO2 concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO2 emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2013.
Subsequent reports are due every 3 calendar month(s).