



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 6-2320-00018/00010
Effective Date: 11/02/2010 Expiration Date: 11/01/2015

Permit Issued To: LAKESIDE BEAVER FALLS LLC
1200 HARGER RD
SUITE 718
OAK BROOK, IL 60523

Facility: BEAVER FALLS GENERATING FACILITY
9644 MAIN ST
BEAVER FALLS, NY 13305

Contact: EDWARD L JORDAN
LAKESIDE BEAVER FALLS LLC
9644 MAIN ST
BEAVER FALLS, NY 13305
(315) 346-9121

Description:

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

Permit Administrator: 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 to the Department for review and approval.



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 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

New York State Department of Environmental Conservation

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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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9644 MAIN ST
BEAVER FALLS, NY 13305

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

Permit Effective Date: 11/02/2010

Permit Expiration Date: 11/01/2015



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- *24 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *25 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *26 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *27 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *28 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *29 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *30 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *31 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *32 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *33 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *34 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *35 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *36 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *37 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *38 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *39 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *40 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *41 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *42 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *43 6 NYCRR Subpart 201-7: Capping Monitoring Condition

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- *44 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 45 6 NYCRR 227-2.1 (a): This conditions further filters the NO_x RACT facilities.
- 46 6 NYCRR 243-1.6 (a): Permit Requirements
- 47 6 NYCRR 243-1.6 (b): Monitoring requirements
- 48 6 NYCRR 243-1.6 (c): NO_x Ozone Season Emission Requirements
- 49 6 NYCRR 243-1.6 (d): Excess emission requirements
- 50 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
- 51 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
- 52 6 NYCRR 243-2.4: Certificate of representation
- 53 6 NYCRR 243-8.1: General requirements
- 54 6 NYCRR 243-8.1: Prohibitions
- 55 6 NYCRR 243-8.5 (d): Quarterly reports
- 56 6 NYCRR 243-8.5 (e): Compliance certification
- 57 6 NYCRR Subpart 244-1: CAIR NO_x Annual Trading Program General Conditions
- 58 6 NYCRR Subpart 244-2: Designated CAIR Representative
- 59 6 NYCRR Subpart 244-8: Compliance Certification
- 60 6 NYCRR Subpart 245-1: CAIR SO₂ Trading Program General Provisions
- 61 6 NYCRR Subpart 245-2: Designated CAIR Representative
- 62 6 NYCRR Subpart 245-8: Compliance Certification
- 63 40CFR 52.21, Subpart A: Compliance Certification
- 64 40CFR 52.21, Subpart A: Compliance Certification
- 65 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- Emission Unit Level**
- 66 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 67 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
- 68 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

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- *69 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *70 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *71 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *72 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *73 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *74 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 75 6 NYCRR 225-1.2 (a) (2): Compliance Certification
- 76 6 NYCRR 225-1.8 (a): Compliance Certification

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- 77 6 NYCRR 225-1.8 (d): Sampling, compositing, and analysis of fuel samples
- 78 6 NYCRR 227.2 (b) (1): Compliance Certification

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- 79 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 80 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 81 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
- 82 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 83 40CFR 60.9, NSPS Subpart A: Availability of information.
- 84 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 85 40CFR 60.13, NSPS Subpart A: Monitoring requirements.

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- 86 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 87 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification

EU=U-00001,Proc=103

- *88 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *89 6 NYCRR Subpart 201-7: Capping Monitoring Condition

EU=U-00001,Proc=104

- *90 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *91 6 NYCRR Subpart 201-7: Capping Monitoring Condition

EU=U-00002

- *92 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *93 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 94 40CFR 52.21, Subpart A: Compliance Certification
- 95 40CFR 52.21, Subpart A: Compliance Certification
- 96 40CFR 52.21, Subpart A: Compliance Certification
- 97 40CFR 52.21, Subpart A: Compliance Certification

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- 98 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification
- 99 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

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- 100 ECL 19-0301: Contaminant List
- 101 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 102 6 NYCRR 211.2: Air pollution prohibited
- 103 6 NYCRR 237-1.4 (a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
- 104 6 NYCRR 237-1.6 (a): Permit requirements to be included in new permits or units.
- 105 6 NYCRR 237-1.6 (c): Compliance Demonstration
- 106 6 NYCRR 237-1.6 (e): Recordkeeping and Reporting Requirements
- 107 6 NYCRR 237-1.6 (f): Liability- facility no common stacks
- 108 6 NYCRR Subpart 237-2: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
- 109 6 NYCRR 237-4.1: Compliance Demonstration
- 110 6 NYCRR 237-7.1: Submission of NOx allowance transfers
- 111 6 NYCRR Subpart 237-8: 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 constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

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

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 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.

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

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

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

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

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

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

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

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

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS 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 11/02/2010 and 11/01/2015

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 2: Fees
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 3.1:

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

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

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

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

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 4.1:

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

Condition 5: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum

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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

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written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

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Condition 6: Compliance Certification
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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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 1/30/2011.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

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

Condition 8: Recordkeeping requirements
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

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

- (1) a copy of each emission statement submitted to the department; and
 - (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.
- (b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 9: Open Fires - Prohibitions
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

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 9.2

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

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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 10: Maintenance of Equipment
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:

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

Condition 11: Recycling and Salvage
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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

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

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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

Condition 13: Exempt Sources - Proof of Eligibility

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 13.1:

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

Condition 14: Trivial Sources - Proof of Eligibility

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 14.1:

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

Condition 15: Standard Requirement - Provide Information

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 15.1:

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

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

Condition 16: General Condition - Right to Inspect
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 16.1:

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

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

Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 17.1:

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

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

Condition 18: Off Permit Changes
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 18.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping,

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

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

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

Condition 19: Required Emissions Tests
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:

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

Condition 20: Visible Emissions Limited
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 211.3

Item 20.1:

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

Condition 21: Accidental release provisions.
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40 CFR Part 68

Item 21.1:

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

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

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

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

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

Condition 22: Recycling and Emissions Reduction
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:

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

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

Condition 23: Emission Unit Definition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1:

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

Emission Unit: U-00001

Emission Unit Description:

A SIEMENS V64.3 GAS TURBINE, A HEAT RECOVERY STEAM GENERATOR WITH DUCT BURNERS, AND AIR POLLUTION CONTROL EQUIPMENT FOR COGENERATION OF ELECTRICITY AND THERMAL ENERGY.

Building(s): GENBLDG

Item 23.2:

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

Emission Unit: U-00002

Emission Unit Description:

TWO EMERGENCY DIESEL POWERED GENERATORS. THE EMISSION LIMITS (LBS/HR) IN THIS APPLICATION ARE FOR OPERATION OF ONE

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EMERGENCY DIESEL GENERATOR.

Building(s): GENBLDG

Item 23.3:

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

Emission Unit: U-00004

Emission Unit Description:

AUXILIARY BOILER WITH FLUE GAS
RECIRCULATION FOR CONTROL OF NOX EMISSIONS.
THIS BOILER IS USED FOR GENERATION OF
THERMAL ENERGY.

Building(s): GENBLDG

Condition 24: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

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:

40 CFR 52.21

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.

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Item 24.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 101

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: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PSD AVOIDANCE MASS EMISSION LIMIT FOR
NO_x EMISSIONS FROM THE COMBUSTION
TURBINE/DUCT BURNER EXHAUST. THE NO_x
MASS EMISSION LIMIT CHANGES WITH AMBIENT
AIR TEMPERATURE AS SHOWN ON THE ATTACHED
NO_x EMISSION CURVES WHILE BURNING OIL.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 51.0 pounds per hour

Reference Test Method: 40 CFR 60, APP. B&F

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 1/30/2011.

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

Condition 25: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 25.1:

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:

40 CFR 52.21

Item 25.2:

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

Item 25.3:

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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 25.4:

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 25.5:

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 25.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 101

Emission Unit: U-00001

Process: 102

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 25.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pounds per hour limit during shutdown. Shutdown is limited to 1 hour per occurrence.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 45.0 pounds per hour

Reference Test Method: EPA Method 10

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 1/30/2011.

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

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Condition 26: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 26.1:

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:

40 CFR 52.21

Item 26.2:

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

Item 26.3:

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 26.4:

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 26.5:

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 26.6:

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

Emission Unit: U-00001
Process: 103

Emission Unit: U-00001
Process: 104

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

Item 26.7:

Compliance Certification shall include the following monitoring:

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Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Pounds per hour limit during shutdown. Shutdown is limited to 1 hour per occurrence.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 200.0 pounds per hour
Reference Test Method: EPA Method 7
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 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 27: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 27.1:

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:

40 CFR 52.21

Item 27.2:

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

Item 27.3:

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 27.4:

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 27.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement,

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for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 27.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 101

Emission Unit: U-00001

Process: 102

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pounds per hour limit during startup. Startup is initiated when the fuel begins being combusted. Startup is limited to 2 hours per occurrence.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 70.0 pounds per hour

Reference Test Method: EPA Method 10

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 1/30/2011.

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

Condition 28: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 28.1:

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:

40 CFR 52.21

Item 28.2:

Operation of this facility shall take place in accordance with the approved criteria, emission

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limits, terms, conditions and standards in this permit.

Item 28.3:

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 28.4:

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 28.5:

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 28.6:

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

Emission Unit: U-00001
Process: 103

Emission Unit: U-00001
Process: 104

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

Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Pounds per hour limit during startup. Startup is initiated when the fuel begins being combusted. Startup is limited to 2 hours per occurrence.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 250.0 pounds per hour
Reference Test Method: EPA Method 7
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)

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Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 29: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 29.1:

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:

40 CFR 52.21

Item 29.2:

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

Item 29.3:

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 29.4:

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 29.5:

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 29.6:

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

Emission Unit: U-00001
Process: 101

Emission Unit: U-00001
Process: 102

Regulated Contaminant(s):

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

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pounds per hour limit during shutdown. Shutdown is limited to 1 hour per occurrence.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 200.0 pounds per hour

Reference Test Method: EPA Method 7

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 1/30/2011.

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

Condition 30: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 30.1:

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:

40 CFR 52.21

Item 30.2:

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

Item 30.3:

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 30.4:

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

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applicable requirement.

Item 30.5:

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 30.6:

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

Emission Unit: U-00001
Process: 103

Emission Unit: U-00001
Process: 104

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

Item 30.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pounds per hour limit during shutdown. Shutdown is limited to 1 hour per occurrence.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 35.0 pounds per hour

Reference Test Method: EPA Method 10

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 1/30/2011.

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

Condition 31: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 31.1:

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:

40 CFR 52.21

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Item 31.2:

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

Item 31.3:

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 31.4:

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 31.5:

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 31.6:

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

Emission Unit: U-00001

Process: 101

Emission Unit: U-00001

Process: 102

Regulated Contaminant(s):

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

Item 31.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pounds per hour limit during startup. Startup is initiated when the fuel begins being combusted. Startup is limited to 2 hours per occurrence.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 425.0 pounds per hour

Reference Test Method: EPA Method 7

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Permit ID: 6-2320-00018/00010

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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 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 32: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 32.1:

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:

40 CFR 52.21

Item 32.2:

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

Item 32.3:

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 32.4:

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 32.5:

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 32.6:

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

Emission Unit: U-00001
Process: 102

Emission Unit: U-00001

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Process: 104

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 32.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Volatile organic compound (VOC) emission limits are based on initial testing at an identical facility. Testing for the above processes is required once during the term of this permit to confirm compliance with this limit. Compliance with this condition also demonstrates compliance with the requirements of Part 231-2.

Parameter Monitored: VOC

Upper Permit Limit: 16.1 pounds per hour

Reference Test Method: EPA METHOD 25

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 33: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 33.1:

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:

40 CFR 52.21

Item 33.2:

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

Item 33.3:

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 33.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an

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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 33.5:

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 33.6:

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

Emission Unit: U-00001
Process: 102

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

Item 33.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PSD AVOIDANCE MASS EMISSION LIMIT FOR
NO_x EMISSIONS FROM THE COMBUSTION
TURBINE/DUCT BURNER EXHAUST. THE NO_x
MASS EMISSION LIMIT FOR THE ABOVE
PROCESSES CHANGES WITH AMBIENT AIR
TEMPERATURE AS SHOWN ON THE ATTACHED NO_x
EMISSION CURVES WHILE BURNING OIL.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 51.0 pounds per hour

Reference Test Method: 40 CFR 60, APP. B&F

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 1/30/2011.

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

Condition 34: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 34.1:

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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:

40 CFR 52.21

Item 34.2:

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

Item 34.3:

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 34.4:

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 34.5:

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 34.6:

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

Emission Unit: U-00001
Process: 101

Emission Unit: U-00001
Process: 103

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

Item 34.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Volatile organic compound (VOC) emission limits are based on initial testing at an identical facility. Testing for

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the above processes is required once during the term of this permit to confirm compliance with this limit. Compliance with this condition also demonstrates compliance with the requirements of Part 231-2.

Parameter Monitored: VOC

Upper Permit Limit: 8.0 pounds per hour

Reference Test Method: EPA METHOD 25

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 35: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 35.1:

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:

40 CFR 52.21

Item 35.2:

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

Item 35.3:

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 35.4:

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 35.5:

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 35.6:

The Compliance Certification activity will be performed for the facility:

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The Compliance Certification applies to:

Emission Unit: U-00001

Process: 102

Regulated Contaminant(s):

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

CAS No: 0NY075-00-0 PARTICULATES

Item 35.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

PM/PM-10 emission limits based on initial testing at the facility. Testing for the above processes was conducted in 2009 and confirmed compliance with this limit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 23.6 pounds per hour

Reference Test Method: EPA METHOD 5 & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 36: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 36.1:

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:

40 CFR 52.21

Item 36.2:

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

Item 36.3:

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 36.4:

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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 36.5:

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 36.6:

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

Emission Unit: U-00001

Process: 101

Regulated Contaminant(s):

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

CAS No: 0NY075-00-0 PARTICULATES

Item 36.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

PM/PM-10 emission limits based on initial testing at the facility. Testing for the above processes is required once during the term of this permit to confirm compliance with this limit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 19.1 pounds per hour

Reference Test Method: EPA METHOD 5 & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 37: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 37.1:

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:

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40 CFR 52.21

Item 37.2:

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

Item 37.3:

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 37.4:

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 37.5:

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 37.6:

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

Emission Unit: U-00001

Process: 103

Emission Unit: U-00001

Process: 104

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 37.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pounds per hour limit during startup. Startup is initiated when the fuel begins being combusted. Startup is limited to 2 hours per occurrence.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

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Upper Permit Limit: 55.0 pounds per hour
Reference Test Method: EPA Method 10
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 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 38: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 38.1:

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:

40 CFR 52.21

Item 38.2:

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

Item 38.3:

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 38.4:

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 38.5:

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 38.6:

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

Emission Unit: U-00001
Process: 102

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Emission Unit: U-00001
Process: 104

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

Item 38.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PSD AVOIDANCE MASS EMISSION LIMIT FOR CO
EMISSIONS FROM THE COMBUSTION/DUCT BURNER
EXHAUST. THIS LIMIT IS APPLICABLE TO THE
ABOVE PROCESSES.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 27.9 pounds per hour

Reference Test Method: EPA METHOD 10

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 1/30/2011.

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

Condition 39: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 39.1:

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:

40 CFR 52.21

Item 39.2:

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

Item 39.3:

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.

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Item 39.4:

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 39.5:

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 39.6:

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

Emission Unit: U-00001
Process: 101

Emission Unit: U-00001
Process: 103

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

Item 39.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
PSD AVOIDANCE MASS EMISSION LIMIT FOR CO
EMISSIONS FROM THE COMBUSTION TURBINE.
THIS LIMIT IS APPLICABLE TO THE ABOVE
PROCESSES.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 14.4 pounds per hour
Reference Test Method: 40 CFR 60, APP. B&F
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 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 40: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

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Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 40.1:

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:

40 CFR 52.21

Item 40.2:

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

Item 40.3:

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 40.4:

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 40.5:

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 40.6:

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

Emission Unit: U-00001
Process: 101

Emission Unit: U-00001
Process: 103

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

Item 40.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

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Monitoring Description:

PSD AVOIDANCE CONCENTRATION EMISSION
LIMIT FOR CO EMISSIONS FROM THE
COMBUSTION TURBINE. THIS LIMIT IS
APPLICABLE TO THE ABOVE PROCESSES.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

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

Reference Test Method: 40 CFR 60, APP. B&F

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 1/30/2011.

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

Condition 41: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 41.1:

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:

40 CFR 52.21

Item 41.2:

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

Item 41.3:

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 41.4:

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 41.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement,

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for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 41.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 102

Emission Unit: U-00001

Process: 104

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 41.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PSD AVOIDANCE CONCENTRATION EMISSION
LIMIT FOR CO EMISSIONS FROM THE
COMBUSTION TURBINE AND DUCT BURNER. THIS
LIMIT IS APPLICABLE TO THE ABOVE
PROCESSES.

Manufacturer Name/Model Number: MONITOR LABS/9830-9800

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 18.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: 40 CFR 60, APP. B&F

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 1/30/2011.

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

Condition 42: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 42.1:

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:

40 CFR 52.21

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Item 42.2:

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

Item 42.3:

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 42.4:

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 42.5:

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 42.6:

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

Emission Unit: U-00001

Process: 101

Emission Unit: U-00001

Process: 102

Regulated Contaminant(s):

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

Item 42.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEMS WHICH MEET THE REQUIREMENTS OF 40 CFR 60 APPENDICES B AND F ARE TO BE CALIBRATED, OPERATED, AND MAINTAINED IN THE GAS TURBINE/DUCT BURNER EXHAUST STACK. THIS LIMIT APPLIES TO ALL PROCESSES WHEN FUEL OIL IS COMBUSTED IN THE TURBINE.

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Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 18.0 parts per million by volume

(dry, corrected to 15% O₂)

Reference Test Method: EPA METHOD 7

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 1/30/2011.

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

Condition 43: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 43.1:

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:

40 CFR 52.21

Item 43.2:

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

Item 43.3:

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 43.4:

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 43.5:

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 43.6:

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

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Emission Unit: U-00001
Process: 103

Emission Unit: U-00001
Process: 104

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

Item 43.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEMS WHICH MEET THE REQUIREMENTS OF 40
CFR 60 APPENDICES B AND F ARE TO BE
CALIBRATED, OPERATED, AND MAINTAINED IN
THE GAS TURBINE/DUCT BURNER EXHAUST
STACK. THIS LIMIT APPLIES TO ALL
PROCESSES WHEN THE TURBINE IS FIRING
NATURAL GAS.

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

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

Reference Test Method: EPA METHOD 7

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 1/30/2011.

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

Condition 44: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 44.1:

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:

40 CFR 52.21

Item 44.2:

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

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Item 44.3:

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 44.4:

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 44.5:

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 44.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 44.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE SULFUR CONTENT OF FUEL OIL BURNED AT FACILITY SHALL NOT EXCEED 0.08% BY WEIGHT. TO AID IN PERMIT STREAMLING, COMPLIANCE WITH THIS CONDITION ALSO INDICATES COMPLIANCE WITH THE SULFUR LIMITS IN 40 CFR 60.333(b). 40 CFR 60.4c(d), AND 6NYCRR PART 225-1

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.08 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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.

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The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

**Condition 45: This conditions further filters the NOx RACT facilities.
Effective between the dates of 11/02/2010 and 11/01/2015**

Applicable Federal Requirement:6 NYCRR 227-2.1 (a)

Item 45.1:

This facility is subject to the provisions of Subpart 227-2.

**Condition 46: Permit Requirements
Effective between the dates of 11/02/2010 and 11/01/2015**

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

Item 46.1:

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 47: Monitoring requirements
Effective between the dates of 11/02/2010 and 11/01/2015**

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

Item 47.1:

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 48: NOx Ozone Season Emission Requirements
Effective between the dates of 11/02/2010 and 11/01/2015**

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

Item 48.1:

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.

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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 49: Excess emission requirements
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 49.1:

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 50: Recordkeeping and reporting requirements
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 50.1:

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

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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 51: Authorization and responsibilities of CAIR designated representative

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 243-2.1

Item 51.1:

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

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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 52: Certificate of representation
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR 243-2.4

Item 52.1:

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 53: General requirements
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR 243-8.1

Item 53.1:

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

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75.72);

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

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

Condition 54: Prohibitions
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 54.1:

No owner or operator of a CAIR NO_x 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 NO_x Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NO_x 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 NO_x 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 NO_x 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 NO_x 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 55: Quarterly reports
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 55.1:

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

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If the CAIR NO_x Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NO_x 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 NO_x mass emissions) for such unit for the entire year and shall report the NO_x 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 NO_x Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x 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 NO_x mass emission data, heat input data, and other information required by this Subpart.

Condition 56: Compliance certification
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 56.1:

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

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

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

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO_x emission rate and NO_x concentration values substituted for missing data under

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Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NOx emissions.

**Condition 57: CAIR NOx Annual Trading Program General Conditions
Effective between the dates of 11/02/2010 and 11/01/2015**

Applicable Federal Requirement: 6 NYCRR Subpart 244-1

Item 57.1:

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NOx allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NOx unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]

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

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

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

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

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

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

**Condition 58: Designated CAIR Representative
Effective between the dates of 11/02/2010 and 11/01/2015**



Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 58.1:

1) Each Clean Air Interstate Rule (CAIR) NO_x 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 NO_x 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 NO_x source represented in all matters pertaining to the CAIR NO_x Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

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

Condition 59: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 59.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

(4) For CAIR NO_x units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x 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 NO_x mass emission data, heat input data, and other information required by this Subpart.

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

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

(ii) for a unit with add-on NO_x emission controls and for all hours where NO_x data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the

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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 1/30/2011.

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

**Condition 60: CAIR SO2 Trading Program General Provisions
Effective between the dates of 11/02/2010 and 11/01/2015**

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 60.1:

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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 61: Designated CAIR Representative

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-2

Item 61.1:

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

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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 62: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-8

Item 62.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 62.2:

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

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the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.

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

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

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

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

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

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 63: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

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Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 63.1:

The Compliance Certification activity will be performed for the Facility.

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE AMBIENT AIR TEMPERATURE AT THE
FACILITY SHALL BE CONTINUOUSLY MONITORED
AND RECORDED WITHIN AN ACCURACY OF +/- 1
DEG. F.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 64: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 64.1:

The Compliance Certification activity will be performed for the Facility.

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A SUMMARY OF EMISSION LIMITS AND
OPERATING RESTRICTIONS OF THIS PERMIT
MUST BE POSTED IN THE CONTROL ROOM OF
THIS FACILITY AND BE PLAINLY VISIBLE TO
THE FACILITY OPERATOR.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 65: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 65.1:

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

Emission Unit: U-00001

Emission Unit: U-00004

Item 65.2:

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 and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each six (6) month period (or as appropriate), and shall contain the following information:

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

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

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

Condition 66: Emission Point Definition By Emission Unit

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Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 66.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 213

Diameter (in.): 135

NYTMN (km.): 4859.324

NYTME (km.): 465.431

Building: GENBLDG

Item 66.2:

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 19

Diameter (in.): 12

NYTMN (km.): 4859.324

NYTME (km.): 465.431

Building: GENBLDG

Emission Point: 00003

Height (ft.): 19

Diameter (in.): 12

NYTMN (km.): 4859.324

NYTME (km.): 465.431

Building: GENBLDG

Emission Point: 00004

Height (ft.): 109

Diameter (in.): 48

NYTMN (km.): 4859.324

NYTME (km.): 465.431

Building: GENBLDG

Condition 67: Process Definition By Emission Unit

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 67.1:

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

Emission Unit: U-00001

Process: 101

Source Classification Code: 2-02-001-01

Process Description:

NO. 2 DISTILLATE FUEL OIL COMBUSTION IN
THE GAS TURBINE WITHOUT SIMULTANEOUS
OPERATION OF DUCT BURNER.

Emission Source/Control: 00001 - Combustion

Design Capacity: 650 million Btu per hour

Emission Source/Control: 00002 - Control

Control Type: STEAM OR WATER INJECTION

Emission Source/Control: 00004 - Control

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Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: 00005 - Control

Control Type: AMMONIA INJECTION

Item 67.2:

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

Emission Unit: U-00001

Process: 102

Source Classification Code: 2-02-001-03

Process Description:

NO. 2 DISTILLATE FUEL OIL COMBUSTION IN
GAS TURBINE WITH SIMULTANEOUS OPERATION OF
DUCT BURNER FIRING NATURAL GAS.

Emission Source/Control: 00001 - Combustion

Design Capacity: 650 million Btu per hour

Emission Source/Control: 00003 - Combustion

Design Capacity: 99.5 million Btu per hour

Emission Source/Control: 00002 - Control

Control Type: STEAM OR WATER INJECTION

Emission Source/Control: 00004 - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: 00005 - Control

Control Type: AMMONIA INJECTION

Item 67.3:

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

Emission Unit: U-00001

Process: 103

Source Classification Code: 2-02-002-01

Process Description:

NATURAL GAS COMBUSTION IN GAS TURBINE
WITHOUT SIMULTANEOUS OPERATION OF DUCT
BURNER.

Emission Source/Control: 00001 - Combustion

Design Capacity: 650 million Btu per hour

Emission Source/Control: 00002 - Control

Control Type: STEAM OR WATER INJECTION

Emission Source/Control: 00004 - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: 00005 - Control

Control Type: AMMONIA INJECTION

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Item 67.4:

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

Emission Unit: U-00001

Process: 104

Source Classification Code: 2-02-002-03

Process Description:

NATURAL GAS COMBUSTION IN GAS TURBINE AND
DUCT BURNER SIMULTANEOUSLY.

Emission Source/Control: 00001 - Combustion

Design Capacity: 650 million Btu per hour

Emission Source/Control: 00003 - Combustion

Design Capacity: 99.5 million Btu per hour

Emission Source/Control: 00002 - Control

Control Type: STEAM OR WATER INJECTION

Emission Source/Control: 00004 - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: 00005 - Control

Control Type: AMMONIA INJECTION

Item 67.5:

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

Emission Unit: U-00001

Process: 108

Source Classification Code: 2-02-002-03

Process Description:

THIS PROCESS (108) ALLOWS FOR THE
OPERATION OF THE EVAPORATIVE COOLER WHILE
COMBUSTING FUEL IN THE GAS TURBINE
WITH/WITHOUT SIMULTANEOUS OPERATION OF DUCT
BURNER.

Emission Source/Control: 00001 - Combustion

Design Capacity: 650 million Btu per hour

Emission Source/Control: 00003 - Combustion

Design Capacity: 99.5 million Btu per hour

Emission Source/Control: 00002 - Control

Control Type: STEAM OR WATER INJECTION

Emission Source/Control: 00004 - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: 00005 - Control

Control Type: AMMONIA INJECTION

Item 67.6:

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

Emission Unit: U-00002

Process: 201

Source Classification Code: 2-02-004-01

Process Description:

DISTILLATE FUEL OIL COMBUSTION IN THE
EMERGENCY DIESEL GENERATORS.

Emission Source/Control: 20001 - Combustion

Design Capacity: 7.5 million Btu per hour

Item 67.7:

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

Emission Unit: U-00004

Process: 401

Source Classification Code: 1-02-006-02

Process Description: NATURAL GAS COMBUSTION IN THE AUXILIARY BOILER.

Emission Source/Control: 40001 - Combustion

Design Capacity: 95 million Btu per hour

Emission Source/Control: 40002 - Control

Control Type: FLUE GAS RECIRCULATION

Condition 68: Emission Unit Permissible Emissions

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 68.1:

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-00001

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 28 pounds per hour

244,404 pounds per year

Emission Unit: U-00002

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 8.27 pounds per hour

430 pounds per year

Emission Unit: U-00004

CAS No: 000630-08-0

Name: CARBON MONOXIDE

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



PTE(s): 9.5 pounds per hour

83,220 pounds per year

Emission Unit: U-00002

CAS No: 0NY075-00-0

Name: PARTICULATES

PTE(s): 0.64 pounds per hour

33.3 pounds per year

Emission Unit: U-00004

CAS No: 0NY075-00-0

Name: PARTICULATES

PTE(s): 0.6 pounds per hour

5,256 pounds per year

Emission Unit: U-00001

CAS No: 0NY075-00-5

Name: PM-10

PTE(s): 24 pounds per hour

117,428 pounds per year

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 49 pounds per hour

258,336 pounds per year

Emission Unit: U-00002

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 26.02 pounds per hour

1,353 pounds per year

Emission Unit: U-00004

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 9.5 pounds per hour

83,220 pounds per year

Emission Unit: U-00001

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 16 pounds per hour

111,252 pounds per year

Emission Unit: U-00004

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



CAS No: 0NY998-00-0

Name: VOC

PTE(s): 0.3 pounds per hour

2,628 pounds per year

Condition 69: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 69.1:

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:

40 CFR 52.21

Item 69.2:

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

Item 69.3:

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 69.4:

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 69.5:

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 69.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 69.7:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

TOTAL ANNUAL FUEL OIL USE IN THE GAS
TURBINE SHALL NOT EXCEED 10,300,000
GALLONS, CALCULATED ON A DAILY ROLLING
BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 10300000.0 gallons per year

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 70: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 70.1:

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:

40 CFR 52.21

Item 70.2:

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

Item 70.3:

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 70.4:

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.

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

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Item 70.5:

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 70.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

Item 70.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To avoid being subject to PSD, the facility shall monitor and record NO_x and PM-10 emissions to maintain emissions below the significance levels of PSD (+ Part 231-2 for NO_x). Compliance shall be determined by summing the individual monthly emissions during any consecutive 12 month period. The owner/operator shall submit a semi-annual report stating whether the following conditions have been complied with:

1. $(51.0 \text{ lb NO}_x/\text{hr})(\text{Process 101 hours}) + (49.4 \text{ lb NO}_x/\text{hr})(\text{Process 102 hours}) + (21.6 \text{ lb NO}_x/\text{hr})(\text{Process 103 hours}) + (23.6 \text{ lb/hr})(\text{Process 104 hours}) < 80,000 \text{ lbs. NO}_x$

2. $(19.1 \text{ lb PM}_{10}/\text{hr})(\text{Process 101 hours}) + (23.6 \text{ lb PM}_{10}/\text{hr})(\text{Process 102 hours}) + (5.8 \text{ lb PM}_{10}/\text{hr})(\text{Process 103 hours}) + (10.3 \text{ lb PM}_{10}/\text{hr})(\text{Process 104 hours}) < 30,000 \text{ lbs. PM}_{10}$

where: Process 101 hours are the times when Process 101 equipment is operated with the evaporative cooler operating

Process 102 hours are the times when Process 102 equipment is operated with the evaporative cooler operating

Process 103 hours are the times when Process 103 equipment is operated with the evaporative cooler operating

Process 104 hours are the times when Process 104 equipment is operated with the evaporative cooler operating

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80,000 lbs NO_x is the PSD + Part 231-2 significance level for this pollutant

30,000 lbs. PM-10 is the PSD significance level for this pollutant

3. The facility shall maintain and operate a device that records each hour of operation of the evaporative cooler. The facility shall also maintain a written log of when the evaporative cooler operates.

4. If the PSD & Part 231-2 significance levels are exceeded, the facility shall submit records to the Department within 30 days of the end of the month in which the significance exceedance occurred.

Reference Test Method: EPA Method 7

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 71: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 71.1:

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:

40 CFR 52.21

Item 71.2:

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

Item 71.3:

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 71.4:

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

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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 71.5:

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 71.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 71.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

THE COMBUSTION TURBINE WHILE FIRING OIL
MAY NOT OPERATE BELOW THE MINIMUM LOAD
CORRESPONDING TO THE AMBIENT TEMPERATURE
AS SHOWN ON ATTACHMENT 1. FOR EXAMPLE,
AT 90 DEGREES F, THE MINIMUM OUTPUT IS
41.9 MW.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Lower Permit Limit: 41.9 megawatt

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 72: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 72.1:

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

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otherwise be subject to:

40 CFR 52.21

Item 72.2:

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

Item 72.3:

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 72.4:

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 72.5:

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 72.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 72.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The combustion turbine low load operation while firing
natural gas is limited to minimum of 21 megawatts except
for periods of startup or shutdown.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Manufacturer Name/Model Number: Siemens V64.3

Parameter Monitored: ELECTRICAL OUTPUT

Lower Permit Limit: 21 megawatt

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Reference Test Method: EPA Method 25A
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 73: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 73.1:

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:

40 CFR 52.21

Item 73.2:

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

Item 73.3:

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 73.4:

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 73.5:

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 73.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Item 73.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

FUEL OIL USE IN THE GAS TURBINE IS LIMITED TO 2,000 HOURS PER YEAR, CALCULATED ON A DAILY ROLLING BASIS.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 2000 hours

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 74: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 74.1:

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:

40 CFR 52.21

Item 74.2:

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

Item 74.3:

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 74.4:

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.

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Item 74.5:

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 74.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 74.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

COMPLIANCE DEMONSTRATED BY STACK TESTING
AS REQUIRED BY THE DEPARTMENT. AMMONIA
COMPLIANCE TESTING FOR U-00001 WHILE
FIRING NATURAL GAS AND WHEN FIRING FUEL
OIL WAS CONDUCTED IN 2009 AND
DEMONSTRATED COMPLIANCE WITH THE EMISSION
LIMIT. WAS CONDUCTED IN 2009 AND
DEMONSTRATED COMPLIANCE WITH THE EMISSION
LIMIT.

Parameter Monitored: AMMONIA

Upper Permit Limit: 10.0 parts per million by volume

(dry, corrected to 15% O₂)

Reference Test Method: EPA METHOD 18

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 75: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 75.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 101

Emission Unit: U-00001

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Permit ID: 6-2320-00018/00010

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Process: 102

Emission Unit: U-00001

Process: 108

Emission Unit: U-00002

Process: 201

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.08 percent by weight

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 1/30/2011.

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

Condition 76: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 76.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: 101

Emission Unit: U-00001

Process: 102

Emission Unit: U-00002

Process: 201

Item 76.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 77: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 11/02/2010 and 11/01/2015**

Applicable Federal Requirement: 6 NYCRR 225-1.8 (d)

Item 77.1:

This Condition applies to:

Emission Unit: U00001

Process: 101

Emission Source: 00001

Emission Unit: U00001

Process: 102

Emission Source: 00001

Emission Unit: U00002

Process: 201

Item 77.1:

This Condition applies to Emission Unit: U-00001

Item 77.2.3:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

**Condition 78: Compliance Certification
Effective between the dates of 11/02/2010 and 11/01/2015**

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

Item 78.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018

Emission Unit: U-00001

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 78.2:

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.

At the monitoring frequency stated below 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.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 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 79: EPA Region 2 address.

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 79.1:

This Condition applies to:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Emission Unit: U00004

Item 79.1:

This Condition applies to Emission Unit: U-00001

Item 79.2.3:

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 80: Recordkeeping requirements.
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 80.1:

This Condition applies to:

Emission Unit: U00004

Item 80.1:

This Condition applies to Emission Unit: U-00001

Item 80.2.3:

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 81: Excess Emissions Report
Effective between the dates of 11/02/2010 and 11/01/2015

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



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

Item 81.1:

This Condition applies to:

Emission Unit: U00004

Item 81.1:

This Condition applies to Emission Unit: U-00001

Item 81.2.3:

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 82: Facility files for subject sources.

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 82.1:

This Condition applies to:

Emission Unit: U00004

Item 82.1:

This Condition applies to Emission Unit: U-00001

Item 82.2.3:

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 83: Availability of information.

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 83.1:

This Condition applies to:

Emission Unit: U00004

Item 83.1:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



This Condition applies to Emission Unit: U-00001

Item 83.2.3:

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 84: Opacity standard compliance testing.

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 84.1:

This Condition applies to:

Emission Unit: U00004

Item 84.1:

This Condition applies to Emission Unit: U-00001

Item 84.2.3:

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

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

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

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

Condition 85: Monitoring requirements.

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 85.1:

This Condition applies to Emission Unit: U-00001

Item 85.2:

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

Condition 86: CEMS

Effective between the dates of 11/02/2010 and 11/01/2015

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

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Item 86.1:

This Condition applies to Emission Unit: U-00001

Item 86.2:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 87: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 87.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 87.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of 40 CFR 60.334(h), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

- (i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or
- (ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20

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Permit ID: 6-2320-00018/00010

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grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 88: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 88.1:

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:

40 CFR 52.21

Item 88.2:

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

Item 88.3:

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 88.4:

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 88.5:

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 88.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 103

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 88.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

PM/PM-10 emission limits based on initial testing at the facility. Testing for this process is required once during the term of this permit to confirm compliance with this limit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 5.8 pounds per hour

Reference Test Method: EPA Method 5 & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 89: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 89.1:

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:

40 CFR 52.21

Item 89.2:

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

Item 89.3:

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 89.4:

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

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applicable requirement.

Item 89.5:

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 89.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 103

Regulated Contaminant(s):

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

Item 89.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PSD AVOIDANCE LIMIT FOR NO_x EMISSIONS
FROM THE COMBUSTION TURBINE

Manufacturer Name/Model Number: Thermo Environmental 42c-66031-351

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 21.6 pounds per hour

Reference Test Method: 40 CFR 60 APP. B&F

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 1/30/2011.

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

Condition 90: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 90.1:

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:

40 CFR 52.21

Item 90.2:

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

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Item 90.3:

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 90.4:

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 90.5:

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 90.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 104

Regulated Contaminant(s):

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

CAS No: 0NY075-00-0 PARTICULATES

Item 90.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

PM/PM-10 emission limits based on initial testing at the facility. Testing for this process is required once during the term of this permit to confirm compliance with this limit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 10.3 pounds per hour

Reference Test Method: EPA Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 91: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

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Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 91.1:

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:

40 CFR 52.21

Item 91.2:

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

Item 91.3:

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 91.4:

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 91.5:

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 91.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 104

Regulated Contaminant(s):

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

Item 91.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PSD AVOIDANCE LIMIT FOR NO_x EMISSIONS
FOR THE COMBUSTION TURBINE/DUCT BURNER

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Manufacturer Name/Model Number: MONITOR LABS 9841AS-9800

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 23.6 pounds per hour

Reference Test Method: 40 CFR 60 APP. B&F

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 1/30/2011.

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

Condition 92: Capping Monitoring Condition
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 92.1:

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:

40 CFR 52.21

Item 92.2:

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

Item 92.3:

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 92.4:

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 92.5:

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 92.6:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 92.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

EACH EMERGENCY DIESEL GENERATOR SHALL
OPERATE FOR NO LONGER THAN 30 MINUTES
(0.5 HOUR) PER 24 HOUR PERIOD.

Work Practice Type: HOURS PER DAY OPERATION

Upper Permit Limit: 0.5 hours

Monitoring Frequency: CONTINUOUS

Averaging Method: 24-HOUR MAXIMUM - NOT TO BE EXCEEDED
MORE THAN ONCE PER CALENDAR YEAR

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 93: Capping Monitoring Condition

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 93.1:

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:

40 CFR 52.21

Item 93.2:

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

Item 93.3:

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 93.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



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 93.5:

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 93.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 93.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

THE EMERGENCY DIESEL GENERATORS ARE TO
OPERATE FOR A CUMULATIVE TOTAL OF NO MORE
THAN 52 HOURS PER YEAR (FOR BOTH
ENGINES).

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 52 hours

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 94: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 94.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 94.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE TWO EMERGENCY DIESEL GENERATORS
SHALL NOT OPERATE SIMULTANEOUSLY EXCEPT
FOR PERIODS OF STARTUP, SHUTDOWN,
TESTING, OR MALFUNCTION.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 95: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 95.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 95.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE EMERGENCY DIESEL GENERATORS SHALL
ONLY FIRE NO. 2 DISTILLATE FUEL OIL.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 96: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 96.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 96.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



Monitoring Description:

THE EMERGENCY DIESEL GENERATORS SHALL
NOT OPERATE SIMULTANEOUSLY WITH THE GAS
TURBINE EXCEPT DURING PERIODS OF STARTUP,
SHUTDOWN, MALFUNCTION, OR TESTING.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 97: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 97.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 97.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ONLY ONE EMERGENCY DIESEL GENERATOR
SHALL OPERATE SIMULTANEOUSLY WITH THE
AUXILIARY BOILER.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 98: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 40CFR 60.48c(g), NSPS Subpart Dc

Item 98.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004

Item 98.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

New York State Department of Environmental Conservation

Permit ID: 6-2320-00018/00010

Facility DEC ID: 6232000018



The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 99: Compliance Certification

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable Federal Requirement: 40CFR 60.48c(i), NSPS Subpart Dc

Item 99.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004

Item 99.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record, for determining compliance with the NSPS requirements.

**** NOTE**** Records shall be maintained for a minimum of five years to achieve compliance with the requirements of Title V.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 100: Contaminant List

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:ECL 19-0301

Item 100.1:

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

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

CAS No: 007664-41-7
Name: AMMONIA

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

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

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

CAS No: 0NY998-00-0
Name: VOC

Condition 101: Unavoidable noncompliance and violations
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement: 6 NYCRR 201-1.4

Item 101.1:

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

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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 102: Air pollution prohibited
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:6 NYCRR 211.2

Item 102.1:

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 103: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:6 NYCRR 237-1.4 (a)

Item 103.1:

Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NOx budget unit, and any source that includes one or more such units shall be a NOx budget source, subject to the requirements of NYCRR 237.

Condition 104: Permit requirements to be included in new permits or units.
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:6 NYCRR 237-1.6 (a)

Item 104.1: The NOx authorized account representative of each NOx budget unit shall:
Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in

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accordance with the deadlines specified in NYCRR 237-3.2(b); and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

Condition 105: Compliance Demonstration
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement: 6 NYCRR 237-1.6 (c)

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 of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

A NOx allowance allocated by the department under the Acid Deposition Reduction (ADR) NOx Budget Trading Program is a limited authorization to emit one ton of NOx in accordance



with the ADR NOx Budget Trading Program. No provision of the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NOx allowance allocated by the department under the ADR NOx Budget Trading Program does not constitute a property right.

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 106: Recordkeeping and Reporting Requirements
Effective between the dates of 11/02/2010 and 11/01/2015

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

Item 106.1:

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

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

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Condition 107: Liability- facility no common stacks
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:6 NYCRR 237-1.6 (f)

Item 107.1:

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget source (including a provision applicable to the NOx authorized account representative of a NOx budget source) shall also apply to the owners and operators of such source and of the NOx budget units at the source.

Condition 108: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:6 NYCRR Subpart 237-2

Item 108.1: Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

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

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Condition 109: Compliance Demonstration

Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement: 6 NYCRR 237-4.1

Item 109.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 109.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and
- (5) the compliance certification under NYCRR 237-4(c).

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

(a) whether the unit was operated in compliance with the NO_x budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO_x emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO_x emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEPTEMBER 30

Condition 110: Submission of NO_x allowance transfers
Effective between the dates of 11/02/2010 and 11/01/2015



Applicable State Requirement:6 NYCRR 237-7.1

Item 110.1:

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

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

Condition 111: Compliance Demonstration
Effective between the dates of 11/02/2010 and 11/01/2015

Applicable State Requirement:6 NYCRR Subpart 237-8

Item 111.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 111.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

