

**New York State Department of Environmental Conservation  
Facility DEC ID: 6401200053**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 6-4012-00053/00010  
Effective Date: 07/05/2006 Expiration Date: 07/04/2011

Permit Issued To: AG-ENERGY LP  
ENTRANCE AVE  
PO BOX 585  
OGDENSBURG, NY 13669-0585

Contact: GREG SHARLAND  
OGDENSBURG ENERGY FACILITY  
PO BOX 585  
OGDENSBURG, NY 13669

Facility: OGDENSBURG ENERGY FACILITY  
ENTRANCE AVE  
OGDENSBURG, NY 13669

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: BRIAN D FENLON  
DIVISION OF ENVIRONMENTAL PERMITS  
STATE OFFICE BLDG, 317 WASHINGTON ST  
WATERTOWN, NY 13601-3787

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



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

Submission of Applications 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 and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**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:**



**New York State Department of Environmental Conservation**  
**Facility DEC ID: 6401200053**

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

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

**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit 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 Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 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**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: AG-ENERGY LP  
ENTRANCE AVE  
PO BOX 585  
OGDENSBURG, NY 13669-0585

Facility: OGDENSBURG ENERGY FACILITY  
ENTRANCE AVE  
OGDENSBURG, NY 13669

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

Permit Effective Date: 07/05/2006

Permit Expiration Date: 07/04/2011



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

- \*40 6NYCRR 201-7: Capping Monitoring Condition
- \*41 6NYCRR 201-7: Capping Monitoring Condition
- \*42 6NYCRR 201-7: Capping Monitoring Condition
- \*43 6NYCRR 201-7: Capping Monitoring Condition
- \*44 6NYCRR 201-7: Capping Monitoring Condition
- \*45 6NYCRR 201-7: Capping Monitoring Condition
- \*46 6NYCRR 201-7: Capping Monitoring Condition
- \*47 6NYCRR 201-7: Capping Monitoring Condition
- \*48 6NYCRR 201-7: Capping Monitoring Condition
- \*49 6NYCRR 201-7: Capping Monitoring Condition
- \*50 6NYCRR 201-7: Capping Monitoring Condition
- \*51 6NYCRR 201-7: Capping Monitoring Condition
- \*52 6NYCRR 201-7: Capping Monitoring Condition
- \*53 6NYCRR 201-7: Capping Monitoring Condition
- \*54 6NYCRR 201-7: Capping Monitoring Condition
- \*55 6NYCRR 201-7: Capping Monitoring Condition
- \*56 6NYCRR 201-7: Capping Monitoring Condition
- \*57 6NYCRR 201-7: Capping Monitoring Condition
- \*58 6NYCRR 201-7: Capping Monitoring Condition
- 59 6NYCRR 202-1.2: Notification
- 60 6NYCRR 202-1.3: Acceptable procedures
- 61 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 62 6NYCRR 202-1.3: Alternate test methods
- 63 6NYCRR 202-1.5: Prohibitions
- 64 6NYCRR 204-2.1: Submissions to the Department.
- 65 6NYCRR 204-4.1: Contents of reports and compliance certifications.
- 66 6NYCRR 204-4.1: Compliance Certification
- 67 6NYCRR 204-7.1: Submission of NO<sub>x</sub> allowance transfers.
- 68 6NYCRR 204-8.1: General provisions.
- 69 6NYCRR 204-8.1: Prohibitions.
- 70 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 71 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 72 6NYCRR 204-8.2: Compliance Certification
- 73 6NYCRR 204-8.3: Out of control periods.
- 74 6NYCRR 204-8.4: Compliance Certification
- 75 6NYCRR 225-1.8(a): Compliance Certification
- 76 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 77 6NYCRR 227-1.3(a): Compliance Certification
- 78 6NYCRR 227-1.3(a): Compliance Certification
- 79 6NYCRR 227-2.1: This condition states the facility is applicable to NO<sub>x</sub> RACT.
- 80 6NYCRR 227.2(b)(1): Compliance Certification
- 81 40CFR 52.21, Subpart A: Compliance Certification
- 82 40CFR 52.21, Subpart A: Compliance Certification
- 83 40CFR 52.21(j)(1), Subpart A: Minimum requirements.
- 84 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

- 85 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 86 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 87 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 88 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 89 40CFR 60.11, NSPS Subpart A: Compliance Certification
- 90 40CFR 60.11, NSPS Subpart A: Compliance Certification
- 91 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 92 40CFR 60.48b(c), NSPS Subpart Db: Compliance Certification
- 93 40CFR 60.48b(e)(2), NSPS Subpart Db: Compliance Certification
- 94 40CFR 60.49b(h), NSPS Subpart Db: Compliance Certification
- 95 40CFR 60.49b(i), NSPS Subpart Db: Compliance Certification
- 96 40CFR 60.49b(r), NSPS Subpart Db: Compliance Certification
- 97 40CFR 60.48c, NSPS Subpart Dc: Compliance Certification
- 98 40CFR 60, NSPS Subpart GG: The applicability of 40CFR 60-GG to this facility.
- 99 40CFR 60.334(b), NSPS Subpart GG: Compliance Certification
- 100 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification
- 101 40CFR 82: Recycling and emissions reduction.

**Emission Unit Level**

- 102 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 103 6NYCRR 201-6: Process Definition By Emission Unit
- 104 6NYCRR 201-7: Process Permissible Emissions

**EU=1-AXBLR**

- 105 40CFR 60.48b(f), NSPS Subpart Db: Use of alternative methods for measuring NO<sub>x</sub> during CEMS downtime
- 106 40CFR 60.49b(d), NSPS Subpart Db: Compliance Certification
- 107 40CFR 60.49b(f), NSPS Subpart Db: Compliance Certification
- 108 40CFR 60.49b(g), NSPS Subpart Db: Compliance Certification

**EU=1-AXBLR,Proc=AXB,ES=AUXBL**

- 109 40CFR 60.44b(h), NSPS Subpart Db: Applicability of oxides of nitrogen standard.
- 110 40CFR 60.44b(i), NSPS Subpart Db: Averaging period.
- 111 40CFR 60.45b(j), NSPS Subpart Db: Compliance Certification

**EU=1-AXBLR,Proc=AXG,ES=AUXBL**

- 112 6NYCRR 202-1.1: Compliance Certification
- 113 40CFR 60.44b(h), NSPS Subpart Db: Applicability of oxides of nitrogen standard.
- 114 40CFR 60.44b(i), NSPS Subpart Db: Averaging period.

**EU=1-AXBLR,Proc=AXO**

- 115 40CFR 60.48b(a), NSPS Subpart Db: Opacity monitoring requirements.

**EU=1-AXBLR,Proc=AXO,ES=AUXBL**

- 116 40CFR 60.44b(h), NSPS Subpart Db: Applicability of oxides of

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



nitrogen standard.

117 40CFR 60.44b(i), NSPS Subpart Db: Averaging period.

118 40CFR 60.45b(j), NSPS Subpart Db: Compliance Certification

**EU=1-AXBLR,Proc=BXB,ES=AUXB2**

119 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.

**EU=1-AXBLR,Proc=BXO,ES=AUXB2**

120 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.

**EU=1-LM25T,Proc=25G**

121 6NYCRR 202-1.1: Compliance Certification

**EU=1-LM60T,Proc=6DG**

122 6NYCRR 202-1.1: Compliance Certification

**EU=1-LM60T,Proc=6NG**

123 6NYCRR 202-1.1: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

124 ECL 19-0301: Contaminant List

125 6NYCRR 201-1.4: Unavoidable noncompliance and violations

126 6NYCRR 211.2: Air pollution prohibited

127 6NYCRR 237-1.4(a): Applicable Facility, with a unit of a capacity of 25 MWe or greater

128 6NYCRR 237-1.6(a): Permit Requirements

129 6NYCRR 237-1.6(c): Compliance Demonstration

130 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements

131 6NYCRR 237-1.6(f): Liability- facility no common stacks

132 6NYCRR 237-1.6(g): Effect on other Authorities

133 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative

134 6NYCRR 237-4.1: Compliance Demonstration

135 6NYCRR 237-7.1: Submission of NOx allowance transfers

136 6NYCRR 237-8: Compliance Demonstration

137 6NYCRR 238-1.4: Applicability

138 6NYCRR 238-1.6(a): Permit Requirements

139 6NYCRR 238-1.6(c): Compliance Demonstration

140 6NYCRR 238-1.6(e): Record Keeping and Reporting Requirements

141 6NYCRR 238-1.6(f): Liability

142 6NYCRR 238-1.6(g): Effect on Other Authorities

143 6NYCRR 238-2.1: Submissions to the Department

144 6NYCRR 238-4.1: Compliance Demonstration

145 6NYCRR 238-7.1: Submission of SO2 allowance transfers

**New York State Department of Environmental Conservation**  
**Permit ID: 6-4012-00053/00010      Facility DEC ID: 6401200053**



146 6NYCRR 238-8: 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 - 6NYCRR Part 201-1.5**

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

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

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

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

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

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

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

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

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

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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

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

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

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

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

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

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

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

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

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



Act;

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

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

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

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

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

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

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

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

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 1.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 07/05/2006 and 07/04/2011**

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

**Item 2.1:**

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

**Condition 3: Recordkeeping and reporting of compliance monitoring**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 3.1:**

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

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

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

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

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 4.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 07/05/2006 and 07/04/2011**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



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

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

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

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 6: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



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

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



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 1/30/2007.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

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

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

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

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

**Condition 8: Recordkeeping requirements**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 8.1:**

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

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

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 215**

**Item 9.1:**

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

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

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

**Condition 10: Maintenance of Equipment**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 11.1:**

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

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

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 15: Standard Requirement - Provide Information**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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 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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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,



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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, 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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 211.3**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**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 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 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:
  - 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 07/05/2006 and 07/04/2011**

**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.**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 23: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 23.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE AMMONIA EMISSION LIMIT  
DURING SHUTDOWN OF BOTH UNITS. THIS  
EMISSION LIMIT IS A POUND PER SHUTDOWN  
LIMIT WHICH IS NOT TO EXCEED 120 MINUTES  
IN DURATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 7.99 pounds

Reference Test Method: EPA METHOD 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER  
OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 24: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 24.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Emission Unit: 1-LM25T

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE AMMONIA EMISSION LIMIT DURING SHUTDOWN OF THE LM2500. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 3.44 pounds

Reference Test Method: EPA METHOD 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 25: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 25.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE AMMONIA EMISSION LIMIT



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

DURING SHUTDOWN OF THE LM6000. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C  
Upper Permit Limit: 4.55 pounds  
Reference Test Method: EPA METHOD 7  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 26: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 26.1:**

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

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

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

**Item 26.2:**

Compliance Certification shall include the following monitoring:

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

THIS IS THE AMMONIA EMISSION LIMIT DURING STARTUP OF BOTH UNITS. THIS EMISSION LIMIT IS A POUND PER STARTUP LIMIT WHICH IS NOT TO EXCEED 180 MINUTES IN DURATION. STARTUP BEGINS WHEN FUEL FLOW IS INITIATED. MALFUNCTIONS AND EMERGENCIES ARE NOT INCLUDED IN THIS STARTUP LIMITATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Upper Permit Limit: 10.31 pounds  
Reference Test Method: EPA METHOD 7  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 27: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 27.1:**

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

Emission Unit: 1-LM25T

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

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE AMMONIA EMISSION LIMIT DURING STARTUP OF THE LM2500. THIS EMISSION LIMIT IS A POUND PER STARTUP LIMIT WHICH IS NOT TO EXCEED 180 MINUTES IN DURATION. STARTUP BEGINS WHEN FUEL FLOW IS INITIATED. MALFUNCTIONS AND EMERGENCIES ARE NOT INCLUDED IN THIS STARTUP LIMITATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 5.05 pounds  
Reference Test Method: EPA METHOD 7  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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

**Condition 28: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 28.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

**Item 28.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

AMMONIA SLIP IS MONITORED AFTER THE  
SELECTIVE CATALYTIC REDUCTION UNIT AND  
USED TO OPERATE THE SCR UNIT EFFECTIVELY.  
THE AVERAGE AMMONIA EMISSIONS ARE TO BE  
RECORDED HOURLY. AMMONIA MASS EMISSIONS  
ARE LIMITED TO 10 PPMVD (CORRECTED TO 15%  
O<sub>2</sub>) AND 6.6 LB/HR FOR THE LM6000 (3.4  
LB/HR FOR LM2500).

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: AMMONIA

Manufacturer Name/Model Number: Rosemount 951C

Upper Permit Limit: 10 parts per million by volume (dry,  
corrected to 15% O<sub>2</sub>)

Reference Test Method: EPA Method 7

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 1/30/2007.

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

**Condition 29: Compliance Certification**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 29.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE AMMONIA EMISSION LIMIT DURING STARTUP OF THE LM6000. THIS EMISSION LIMIT IS A POUND PER STARTUP LIMIT WHICH IS NOT TO EXCEED 180 MINUTES IN DURATION. STARTUP BEGINS WHEN FUEL FLOW IS INITIATED. MALFUNCTIONS AND EMERGENCIES ARE NOT INCLUDED IN THIS STARTUP LIMITATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 5.26 pounds

Reference Test Method: EPA METHOD 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 30: Emission Unit Definition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 30.1:**

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

Emission Unit: 1-AXBLR

Emission Unit Description:



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

TWO AUXILIARY BOILERS EXHAUSTING THROUGH A SINGLE STACK.

Building(s): 1

**Item 30.2:**

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

Emission Unit: 1-LM25T

Emission Unit Description:

GE LM 2500 COMBUSTION TURBINE/HRSG WITH WATER INJECTION, AND SCR, EXHAUSTING THROUGH A SINGLE STACK.

Building(s): 1

**Item 30.3:**

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

Emission Unit: 1-LM60T

Emission Unit Description:

GE LM 6000 COMBUSTION TURBINE/HRSG WITH DUCT BURNER, WATER INJECTION, AND SCR, EXHAUSTING THROUGH A SINGLE STACK.

Building(s): 1

**Condition 31: Facility Permissible Emissions**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 31.1:**

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

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

CAS No: 000630-08-0 PTE: 378,000 pounds per year  
Name: CARBON MONOXIDE

CAS No: 007446-09-5 PTE: 67,060 pounds per year  
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0 PTE: 340,000 pounds per year  
Name: OXIDES OF NITROGEN

**Condition 32: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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: 1-LM60T

Process: 6DO

Emission Unit: 1-LM60T

Process: 6NO

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 32.7:**

Compliance Certification shall include the following monitoring:



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

FACILITY WILL LIMIT THIS UNIT TO  
3,200,000 GALLONS OF NO. 2 FUEL OIL PER  
YEAR CALCULATED ON A DAILY ROLLING  
BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 3,200,000 gallons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 33: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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 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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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: 1-AXBLR  
Process: BXG                      Emission Source: AUXB2

Emission Unit: 1-AXBLR  
Process: BXO                      Emission Source: AUXB2

Emission Unit: 1-AXBLR  
Process: BXB                      Emission Source: AUXB2

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: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
    STACK TESTING TO DETERMINE NO<sub>x</sub> EMISSIONS  
    FROM THE CLEAVER BROOKS AUXILIARY BOILER  
    STACK.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 0.12 pounds per million Btus  
Reference Test Method: EPA METHOD 7  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 34:    Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 34.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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:

40CFR 52-A.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: 1-LM60T

Process: 6NG

Emission Unit: 1-LM60T

Process: 6NO

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 34.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEMS TO MONITOR CO EMISSIONS FROM

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**COMBUSTION TURBINE/HRSG STACK.**

Manufacturer Name/Model Number: SIEMENS ULTRAMAT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 15.3 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 10/30/2006.

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

**Condition 35: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Item 35.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

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

**Item 35.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE NO<sub>x</sub> EMISSION LIMIT DURING STARTUP OF BOTH UNITS. THIS EMISSION LIMIT IS A POUND PER STARTUP LIMIT WHICH IS NOT TO EXCEED 180 MINUTES IN DURATION. STARTUP BEGINS WHEN FUEL FLOW IS INITIATED. MALFUNCTIONS AND EMERGENCIES ARE NOT INCLUDED IN THIS STARTUP LIMITATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 340.0 pounds

Reference Test Method: EPA Method 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 36: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



40CFR 52-A.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:**

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: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 36.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE CO EMISSION LIMIT DURING SHUTDOWN OF BOTH UNITS. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Manufacturer Name/Model Number: SIEMENS ULTRAMAT  
Upper Permit Limit: 64.4 pounds  
Reference Test Method: EPA Method 10  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 37: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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:



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

The Compliance Certification applies to:

Emission Unit: 1-AXBLR  
Process: AXG                      Emission Source: AUXBL

Emission Unit: 1-AXBLR  
Process: AXO                      Emission Source: AUXBL

Emission Unit: 1-AXBLR  
Process: AXB                      Emission Source: AUXBL

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

**Item 37.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:  
CEMS TO MONITOR NO<sub>x</sub> EMISSIONS FROM THE  
ZURN KEYSTONE AUXILIARY BOILER STACK. TO  
AID IN PERMIT STREAMLINING, THIS  
CONDITION ALSO COVERS THE REQUIREMENTS OF  
40 CFR 60.44b and 40 CFR 60.48b.

Manufacturer Name/Model Number: ROSEMOUNT 951C  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 0.20 pounds per million Btus  
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 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 38:    Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:





**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

FROM THE CLEAVER BROOKS AUXILIARY BOILER  
STACK.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 9.26 pounds per hour  
Reference Test Method: EPA METHOD 7  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 39: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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.

**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:

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



Emission Unit: 1-LM60T

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:

THIS IS THE CO EMISSION LIMIT DURING SHUTDOWN OF THE LM6000. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT

Upper Permit Limit: 41.0 pounds

Reference Test Method: EPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 40: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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: 1-LM60T

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)

Monitoring Description:

THIS IS THE CO EMISSION LIMIT DURING  
STARTUP OF THE LM6000. THIS EMISSION  
LIMIT IS A POUND PER STARTUP LIMIT WHICH  
IS NOT TO EXCEED 180 MINUTES IN DURATION.  
STARTUP BEGINS WHEN FUEL FLOW IS  
INITIATED. MALFUNCTIONS AND EMERGENCIES  
ARE NOT INCLUDED IN THIS STARTUP  
LIMITATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT

Upper Permit Limit: 54.2 pounds

Reference Test Method: EPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER  
OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 41: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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, 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: 1-LM60T

Regulated Contaminant(s):

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 41.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE NO<sub>x</sub> EMISSION LIMIT DURING STARTUP OF THE LM6000. THIS EMISSION LIMIT IS A POUND PER STARTUP LIMIT WHICH IS NOT TO EXCEED 180 MINUTES IN DURATION. STARTUP BEGINS WHEN FUEL FLOW IS INITIATED. MALFUNCTIONS AND EMERGENCIES ARE NOT INCLUDED IN THIS STARTUP LIMITATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 210.0 pounds

Reference Test Method: EPA Method 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 42: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.21

**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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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: 1-LM60T  
Process: 6DG

Emission Unit: 1-LM60T  
Process: 6DO

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

**Item 42.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:  
CEMS TO MONITOR CO EMISSIONS FROM  
COMBUSTION TURBINE/HRSG STACK.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 22.5 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 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 43: Capping Monitoring Condition**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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:

Emission Unit: 1-LM25T

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 43.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Monitoring Description:**

THIS IS THE CO EMISSION LIMIT DURING SHUTDOWN OF THE LM2500. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT

Upper Permit Limit: 23.4 pounds

Reference Test Method: EPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 44: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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.

**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.

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**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:  
The Compliance Certification applies to:

Emission Unit: 1-LM60T  
Process: 6NG

Emission Unit: 1-LM60T  
Process: 6NO

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

**Item 44.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:  
CEMS TO MONITOR CO EMISSIONS FROM  
COMBUSTION TURBINE/HRSG STACK.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 15.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)  
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 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 45: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 45.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 52-A.21

**Item 45.2:**

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

**Item 45.3:**

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 45.4:**

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 45.5:**

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 45.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Regulated Contaminant(s):

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

**Item 45.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE NO<sub>x</sub> EMISSION LIMIT DURING  
STARTUP OF THE LM2500. THIS EMISSION  
LIMIT IS A POUND PER STARTUP LIMIT WHICH  
IS NOT TO EXCEED 180 MINUTES IN DURATION.  
STARTUP BEGINS WHEN FUEL FLOW IS  
INITIATED. MALFUNCTIONS AND EMERGENCIES



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

ARE NOT INCLUDED IN THIS STARTUP  
LIMITATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C  
Upper Permit Limit: 130.0 pounds  
Reference Test Method: EPA Method 7  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER  
OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 46: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 46.1:**

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:

40CFR 52-A.21

**Item 46.2:**

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

**Item 46.3:**

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 46.4:**

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 46.5:**

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.

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 46.6:**

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

Emission Unit: 1-LM25T

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 46.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE CO EMISSION LIMIT DURING  
STARTUP OF THE LM2500. THIS EMISSION  
LIMIT IS A POUND PER STARTUP LIMIT WHICH  
IS NOT TO EXCEED 180 MINUTES IN DURATION.  
STARTUP BEGINS WHEN FUEL FLOW IS  
INITIATED. MALFUNCTIONS AND EMERGENCIES  
ARE NOT INCLUDED IN THIS STARTUP  
LIMITATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT

Upper Permit Limit: 43.1 pounds

Reference Test Method: EPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER  
OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 47: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 47.1:**

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:

40CFR 52-A.21

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 47.2:**

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

**Item 47.3:**

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 47.4:**

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 47.5:**

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 47.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 47.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY SHALL LIMIT THE DISTILLATE OIL FUEL SULFUR CONTENT TO 0.08% BY WEIGHT. TO AID IN PERMIT STREAMLINING, THIS CONDITION ALSO COVERS THE FUEL SULFUR REQUIREMENTS OF PART 225-1, 40 CFR 60 SUBPART Db, Dc, & Gg.

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Reference Test Method: ASTM D 2880-71 OR EQUIVALENT  
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 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 48: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 48.1:**

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:

40CFR 52-A.21

**Item 48.2:**

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

**Item 48.3:**

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 48.4:**

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 48.5:**

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 48.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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

**Item 48.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

OGDENSBURG ENERGY WILL MONITOR FUEL USE (NATURAL GAS, BIODIESEL, & DISTILLATE OIL) IN EACH EMISSION SOURCE TO MAINTAIN FACILITY WIDE NO<sub>x</sub> EMISSIONS BELOW 170 TONS PER YEAR

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL

Upper Permit Limit: 170.0 tons per year

Reference Test Method: EPA METHOD 7

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 49: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 49.1:**

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:

40CFR 52-A.21

**Item 49.2:**

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

**Item 49.3:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

control requirements, regulations or law.

**Item 49.4:**

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 49.5:**

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 49.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T  
Process: 25O

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

**Item 49.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:  
FACILITY WILL LIMIT THIS UNIT TO  
1,950,000 GALLONS OF NO. 2 FUEL OIL PER  
YEAR CALCULATED ON A DAILY ROLLING  
BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Upper Permit Limit: 1,950,000 gallons per year  
Monitoring Frequency: DAILY  
Averaging Method: ANNUAL TOTAL ROLLED DAILY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 50:    Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 50.1:**

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:

40CFR 52-A.21

**Item 50.2:**

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

**Item 50.3:**

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 50.4:**

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 50.5:**

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 50.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T  
Process: 25G

Emission Unit: 1-LM60T  
Process: 6DG

Emission Unit: 1-LM60T  
Process: 6NG

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 50.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEMS TO MONITOR NO<sub>x</sub> EMISSIONS FROM THE  
COMBUSTION TURBINE/HRSG STACK WHILE  
FIRING NATURAL GAS.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 9.0 parts per million by volume

(dry, corrected to 15% O<sub>2</sub>)

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 10/30/2006.

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

**Condition 51: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 51.1:**

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:

40CFR 52-A.21

**Item 51.2:**

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

**Item 51.3:**

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 51.4:**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 51.5:**

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 51.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T  
Process: 25O

Emission Unit: 1-LM60T  
Process: 6DO

Emission Unit: 1-LM60T  
Process: 6NO

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

**Item 51.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:  
CEMS TO MONITOR NO<sub>x</sub> EMISSIONS FROM THE  
COMBUSTION TURBINE/HRSG STACK WHILE  
FIRING DISTILLATE OIL.

Manufacturer Name/Model Number: ROSEMOUNT 951C  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 18.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)  
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 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**New York State Department of Environmental Conservation**

Permit ID: 6-4012-00053/00010

Facility DEC ID: 6401200053



**Condition 52: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 52.1:**

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:

40CFR 52-A.21

**Item 52.2:**

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

**Item 52.3:**

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 52.4:**

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 52.5:**

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 52.6:**

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

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 52.7:**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE CO EMISSION LIMIT DURING STARTUP OF BOTH UNITS. THIS EMISSION LIMIT IS A POUND PER STARTUP LIMIT WHICH IS NOT TO EXCEED 180 MINUTES IN DURATION. STARTUP BEGINS WHEN FUEL FLOW IS INITIATED. MALFUNCTIONS AND EMERGENCIES ARE NOT INCLUDED IN THIS STARTUP LIMITATION.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT

Upper Permit Limit: 97.3 pounds

Reference Test Method: EPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 53: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 53.1:**

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:

40CFR 52-A.21

**Item 53.2:**

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

**Item 53.3:**

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.

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 53.4:**

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 53.5:**

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 53.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 53.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall limit SO<sub>2</sub> emissions to 67,060 lbs per year calculated on monthly rolling basis. This shall be calculated based on fuel usage and the sulfur content of the fuel burned in each unit.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 67060 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 54: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 54.1:**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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:

40CFR 52-A.21

**Item 54.2:**

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

**Item 54.3:**

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 54.4:**

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 54.5:**

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 54.6:**

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

Emission Unit: 1-LM60T

Regulated Contaminant(s):

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

**Item 54.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE NO<sub>x</sub> EMISSION LIMIT DURING SHUTDOWN OF THE LM6000. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**DURATION.**

Manufacturer Name/Model Number: ROSEMOUNT 951C  
Upper Permit Limit: 46.0 pounds  
Reference Test Method: EPA Method 7  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 55: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 55.1:**

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:

40CFR 52-A.21

**Item 55.2:**

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

**Item 55.3:**

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 55.4:**

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 55.5:**

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.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Item 55.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 55.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

OGDENSBURG ENERGY WILL MONITOR FUEL USE (NATURAL GAS, BIODIESEL, & DISTILLATE OIL) IN EACH EMISSION SOURCE TO MAINTAIN FACILITY WIDE CO EMISSIONS BELOW 189 TONS PER YEAR

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL

Upper Permit Limit: 189.0 tons per year

Reference Test Method: EPA METHOD 10

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 56: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 56.1:**

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:

40CFR 52-A.21

**Item 56.2:**

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

**Item 56.3:**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 56.4:**

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 56.5:**

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 56.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM60T  
Process: 6DG

Emission Unit: 1-LM60T  
Process: 6DO

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

**Item 56.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)  
Monitoring Description:  
CEMS TO MONITOR CO EMISSIONS FROM  
COMBUSTION TURBINE/HRSG STACK.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 21.0 parts per million by volume  
(dry, corrected to 15% O2)  
Reference Test Method: EPA METHOD 10  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 57: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 57.1:**

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:

40CFR 52-A.21

**Item 57.2:**

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

**Item 57.3:**

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 57.4:**

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 57.5:**

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 57.6:**

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

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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

**Item 57.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE NO<sub>x</sub> EMISSION LIMIT DURING SHUTDOWN OF BOTH UNITS. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 81.0 pounds

Reference Test Method: EPA Method 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 58: Capping Monitoring Condition**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 58.1:**

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:

40CFR 52-A.21

**Item 58.2:**

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

**Item 58.3:**

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.

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 58.4:**

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 58.5:**

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 58.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Regulated Contaminant(s):

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

**Item 58.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THIS IS THE NO<sub>x</sub> EMISSION LIMIT DURING SHUTDOWN OF THE LM2500. THIS EMISSION LIMIT IS A POUND PER SHUTDOWN LIMIT WHICH IS NOT TO EXCEED 120 MINUTES IN DURATION.

Manufacturer Name/Model Number: ROSEMOUNT 951C

Upper Permit Limit: 35.0 pounds

Reference Test Method: EPA Method 7

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 59: Notification**

**Effective between the dates of 07/05/2006 and 07/04/2011**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Applicable Federal Requirement: 6NYCRR 202-1.2**

**Item 59.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 60: Acceptable procedures**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 202-1.3**

**Item 60.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 61: Acceptable procedures - Stack test report submittal**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 202-1.3**

**Item 61.1:**

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

**Condition 62: Alternate test methods**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 202-1.3**

**Item 62.1:**

Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

**Condition 63: Prohibitions**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 202-1.5**

**Item 63.1:**

No person shall conceal an emission by the use of air or other gaseous diluents to achieve compliance with an emission standard which is based on the concentration of a contaminant in the gases emitted through a stack.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 64: Submissions to the Department.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 64.1:** Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

**Condition 65: Contents of reports and compliance certifications.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 65.1:** The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

(i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;

(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;

(iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;

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

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

**Condition 66: Compliance Certification**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 66.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 66.2:**

Compliance Certification 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 and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 67: Submission of NOx allowance transfers.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 204-7.1**

**Item 67.1:** The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

**Condition 68: General provisions.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 68.1:** The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NOx Budget unit," "NOx authorized account representative," and



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

"continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

**Condition 69: Prohibitions.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 69.1:** No owner or operator of a NO<sub>x</sub> Budget unit or a non-NO<sub>x</sub> Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

(1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;

(2) operate the unit so as to discharge, or allow to be discharged, NO<sub>x</sub> emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;

(3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NO<sub>x</sub> mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and

(4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:

(i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or

(ii) The NO<sub>x</sub> authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

**Condition 70: Requirements for installation, certification, and data accounting.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 70.1:** The owner or operator of each NO<sub>x</sub> Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO<sub>x</sub> Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NO<sub>x</sub> mass. This includes all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.

(2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NO<sub>x</sub> allowance allocations.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

- (3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.
- (4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

**Condition 71: Requirements for recertification of monitoring systems.  
Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 71.1:** Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

**Condition 72: Compliance Certification  
Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 72.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 72.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 73: Out of control periods.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 73.1:** Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

**Condition 74: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 74.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 74.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

401 M Street SW (6204J)  
Washington D.C. 20460

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

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring and Enforcement  
625 Broadway, 2nd Floor  
Albany N.Y. 12233-3258

AAR changes should be sent to the attention of:

NYSDEC  
Stationary Source Planning Section  
Bureau of Air Quality Planning  
625 Broadway, 2nd Floor  
Albany NY 12233-3251

The address for the RAPCE is as follows:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 75: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 75.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR  
Process: AXO                      Emission Source: AUXBL

Emission Unit: 1-AXBLR  
Process: BXO                      Emission Source: AUXB2

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



Emission Unit: 1-LM25T  
Process: 25O                      Emission Source: 00CT2

Emission Unit: 1-LM60T  
Process: 6NO                      Emission Source: 00CT1

Emission Unit: 1-LM60T  
Process: 6DO                      Emission Source: 00CT1

**Item 75.2:**

Compliance Certification shall include the following monitoring:

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. TO AID IN PERMIT STREAMLINING, THIS CONDITION ALSO COVERS THE FUEL OIL SULFUR CERTIFICATION REQUIREMENTS OF PART 225-1, 40 CFR 60 SUBPARTS Db, Dc, & GG.

Reference Test Method: ASTM D 2880-71 OR EQUIVALENT

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 76:    Sampling, compositing, and analysis of fuel samples  
                         Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 76.1:**

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 77:    Compliance Certification**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 77.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR

Process: BXG                      Emission Source: AUXB2

Emission Unit: 1-AXBLR

Process: BXO                      Emission Source: AUXB2

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

CAS No: 0NY075-00-0    PARTICULATES

**Item 77.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

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

- 1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



stack:

- weather condition
- was a plume observed?

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

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

**\*\* NOTE \*\*** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

To aid in permit streamlining, the opacity standard in this condition also covers the requirements of 40 CFR 60.43c. This condition applies to all loads of operation with the exception of startup, shutdown, and malfunction.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Condition 78: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 78.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR  
Process: AXG                      Emission Source: AUXBL

Emission Unit: 1-AXBLR  
Process: AXO                      Emission Source: AUXBL

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

**Item 78.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM). The opacity standard in this condition also covers the requirements of 40 CFR 60.43b and the monitoring requirements of 60.48b. This condition applies to all loads of boiler operation with the exception of startup, shutdown, and malfunction.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 79: This condition states the facility is applicable to NOx  
RACT.**  
**Effective between the dates of 07/05/2006 and 07/04/2011**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Applicable Federal Requirement: 6NYCRR 227-2.1**

**Item 79.1:**

This facility is subject to NOx RACT.

**Condition 80: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 80.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR  
Process: AXO                      Emission Source: AUXBL

Emission Unit: 1-AXBLR  
Process: BXO                      Emission Source: AUXB2

Emission Unit: 1-LM25T  
Process: 25O                      Emission Source: 00CT2

Emission Unit: 1-LM60T  
Process: 6DO                      Emission Source: 00CT1

Emission Unit: 1-LM60T  
Process: 6NO                      Emission Source: 00CT1

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

**Item 80.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 2-HOUR BLOCK AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 81: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 81.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 81.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Ambient air temperature must be continuously measured and recorded. Measurements shall be accurate to within +/- 3 deg F.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 82: Compliance Certification**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 82.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Emission Unit: 1-AXBLR

Process: AXG

Emission Unit: 1-AXBLR

Process: AXO

**Item 82.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Permittee shall submit a quarterly written CEM report to NYSDEC for every calendar year quarter. All quarterly reports shall be post marked by the 30th day following the end of each calendar quarter and shall include:

1. CEMS down time (40 CFR 60.7(b)) and excess emissions (40 CFR 60.7(c)) in a summary report format, as found in 40 CFR 60.7(d), or equivalent.
2. The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent).
3. Excess emissions shall be identified as any one-hour block period during which the average emissions of NO<sub>x</sub> or CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits set forth in this permit.
4. For the purposes of this permit, excess emissions indicated by the CEM system for one hour block periods other than start-ups and shutdowns, malfunctions (as stated in 6NYCRR Subpart 201-1.4) and CEM calibrations may be considered violations of the applicable emission limits.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 83: Minimum requirements.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 52.21(j)(1), Subpart A**

**Item 83.1:**

The affected facility shall, at a minimum, meet each applicable emission limitation under the State Implementation Plan and each applicable emissions standard and standard of performance under Parts 40 CFR 60 and 61.

**Condition 84: EPA Region 2 address.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A**

**Item 84.1:**

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 85: Recordkeeping requirements.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Item 85.1:**

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

**Condition 86: Excess emissions report.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 86.1:**

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

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

**Condition 87: Excess emissions report.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 87.1:**

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

**Condition 88: Facility files for subject sources.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 88.1:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks;



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 89: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A**

**Item 89.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR  
Process: AXG                      Emission Source: AUXBL

Emission Unit: 1-AXBLR  
Process: AXO                      Emission Source: AUXBL

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

**Item 89.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

OPACITY STANDARD COMPLIANCE  
TESTING

THIS CONDITION APPLIES TO EMISSION UNIT:  
1-AXBLR, EMISSION SOURCE, AUXBL

1. OBSERVATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH REFERENCE METHOD 9 IN APPENDIX A OR THIS PART 40 CFR 60 ( OR 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;

3. ALL OTHER APPLICABLE CONDITIONS CITED IN SECTION 60.11 OF THIS PART.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

4. DURING PERIODS OF EXTREME COLD, HUMIDITY, AND/OR BAROMETRIC PRESSURE, WHILE FIRING NATURAL GAS, WHEN THE WATER VAPOR IN THE EXHAUST STREAM CONDENSES UPSTREAM OF THE OPACITY ANALYZER, THE OPACITY STANDARD MAY BE WAIVED FOR THE DURATION OF THE ABOVE OCCURANCE. NOTIFICATION TO THE DEPARTMENT BY LETTER DESCRIBING THE OCCURANCE MUST BE WITHIN 72 HOURS. THE LETTER SHALL ALSO CONTAIN THE PROCEDURE USED TO PROPERLY CONFIRM THIS EVENT.

Manufacturer Name/Model Number: UFI 500C

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 90: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A**

**Item 90.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR

Process: BXB                      Emission Source: AUXB2

Emission Unit: 1-AXBLR

Process: BXG                      Emission Source: AUXB2

Emission Unit: 1-AXBLR

Process: BXO                      Emission Source: AUXB2

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

Regulated Contaminant(s):

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



CAS No: 0NY075-00-0 PARTICULATES

**Item 90.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

OPACITY STANDARD COMPLIANCE  
TESTING

THIS CONDITION APPLIES TO THE LM6000,  
LM2500, AND AUXB2

1. OBSERVATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH REFERENCE METHOD 9 IN APPENDIX A OR THIS PART 40 CFR 60 ( OR 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;
3. ALL OTHER APPLICABLE CONDITIONS CITED IN SECTION 60.11 OF THIS PART.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 91: Monitoring requirements.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 91.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 92: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.48b(c), NSPS Subpart Db**

**Item 92.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR

Process: AXB                      Emission Source: AUXBL

Emission Unit: 1-AXBLR

Process: AXG                      Emission Source: AUXBL

Emission Unit: 1-AXBLR

Process: AXO                      Emission Source: AUXBL

**Item 92.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The continuous monitoring systems required under paragraph 40 CFR 60.48b (b) shall be operated and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 93: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.48b(e)(2), NSPS Subpart Db**

**Item 93.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Process: AXB                      Emission Source: AUXBL

Emission Unit: 1-AXBLR

Process: AXG                      Emission Source: AUXBL

Emission Unit: 1-AXBLR

Process: AXO                      Emission Source: AUXBL

Regulated Contaminant(s):

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

**Item 93.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

THE SPAN VALUE OF THE CONTINUOUS EMISSION MONITORING SYSTEM USED TO MEASURE NO<sub>x</sub> EMISSIONS SHALL BE 250 PPM PURSUANT TO THE ATTACHED LETTER OF 6/27/94 FROM JEANNE M. FOX TO ROBERT CANO. PLEASE REFER TO THIS ATTACHED LETTER FOR ALL OF THE DETAILS OF THIS REQUIREMENT.

Manufacturer Name/Model Number: Rosemount 951C

Upper Permit Limit: 250 parts per million (by volume)

Reference Test Method: EPA Method 7

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 94: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 94.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR

Process: AXG

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



Emission Unit: 1-AXBLR  
Process: AXO

Emission Unit: 1-AXBLR  
Process: AXB

**Item 94.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall submit semiannual excess emission reports for opacity and/or, oxides of nitrogen, and/or sulfur dioxide any reporting period during which there are excess emissions from the affected facility. If there are no excess emissions during the reporting period, the owner or operator shall submit a report semiannually stating that no excess emissions occurred during that semiannual reporting period.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 95: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 95.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 95.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any affected facility subject to the continuous monitoring requirements for nitrogen oxides under §60.48(b) shall submit reports containing the information recorded under paragraph (g) of this section. All reports shall be postmarked by the 30th day following the end of semiannual period.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 96: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 96.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR

Process: AXO                      Emission Source: AUXBL

**Item 96.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator who elects to demonstrate that the affected facility combusts only very low sulfur oil shall obtain and maintain at the facility fuel receipts from the fuel supplier which certify that the the oil meets the definition of distillate oil as defined 40CFR60.41b. For the purposes of this requirement, the oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Semiannual reports shall be submitted to the Administrator certifying that only very low sulfur oil was combusted in the affected facility during the preceding semiannual period.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 97: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.48c, NSPS Subpart Dc**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Item 97.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-AXBLR  
Process: BXG                      Emission Source: AUXB2

Emission Unit: 1-AXBLR  
Process: BXO                      Emission Source: AUXB2

Emission Unit: 1-LM60T  
Process: 6DG                      Emission Source: 000DB

Emission Unit: 1-LM60T  
Process: 6DO                      Emission Source: 000DB

Emission Unit: 1-AXBLR  
Process: BXB                      Emission Source: AUXB2

**Item 97.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY OWNER OR OPERATOR SHALL MAINTAIN REPORTS OR

RECORDS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

THESE REQUIREMENTS INCLUDE:

1. The owner or operator of an affected facility shall record and maintain records of the amounts of fuel combusted during each day.
2. The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.
3. All records and reports required under this section are to be maintained at the facility for at least two years. Records at Title V facilities must be maintained at the facility for at least five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 98: The applicability of 40CFR 60-GG to this facility.  
Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60, NSPS Subpart GG**

**Item 98.1:**

This facility is subject to the applicable requirements of this Subpart. More stringent emission limits than those contained in this Subpart are contained in the emission unit compliance certification special conditions of this permit.

**Condition 99: Compliance Certification  
Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 99.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Emission Unit: 1-LM60T

**Item 99.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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,



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 100: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 100.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LM25T

Process: 25G

Emission Unit: 1-LM60T

Process: 6DG

Emission Unit: 1-LM60T

Process: 6NG

**Item 100.2:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

sulfur content of the fuel is 20.0 grains/100 scf or less;  
or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 101: Recycling and emissions reduction.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 82**

**Item 101.1:** The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

**Condition 102: Emission Point Definition By Emission Unit**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 102.1:**

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

Emission Unit: 1-AXBLR

Emission Point: 00003

Height (ft.): 175

Diameter (in.): 36

NYTMN (km.): 4952.74

NYTME (km.): 464.927

Building: 1

**Item 102.2:**

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

Emission Unit: 1-LM25T

Emission Point: 00002

Height (ft.): 175

Diameter (in.): 108

NYTMN (km.): 4952.724

NYTME (km.): 464.927

Building: 1

**Item 102.3:**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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

Emission Unit: 1-LM60T

Emission Point: 00001

Height (ft.): 175

Diameter (in.): 132

NYTMN (km.): 4952.724 NYTME (km.): 464.927 Building: 1

**Condition 103: Process Definition By Emission Unit**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 103.1:**

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

Emission Unit: 1-AXBLR

Process: AXB

Source Classification Code: 1-02-005-05

Process Description:

Auxiliary boiler firing a methyl ester or biodiesel fuel.

Fuel is expected to be 99% biodiesel.

Emission Source/Control: AUXBL - Combustion

Design Capacity: 103 million Btu per hour

**Item 103.2:**

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

Emission Unit: 1-AXBLR

Process: AXG

Source Classification Code: 1-03-006-01

Process Description: ZURN KEYSTONE AUXILIARY BOILER FIRING NATURAL GAS.

Emission Source/Control: AUXBL - Combustion

Design Capacity: 103 million Btu per hour

**Item 103.3:**

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

Emission Unit: 1-AXBLR

Process: AXO

Source Classification Code: 1-03-005-01

Process Description:

ZURN KEYSTONE AUXILIARY BOILER FIRING

DISTILLATE OIL.

Emission Source/Control: AUXBL - Combustion

Design Capacity: 103 million Btu per hour

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 103.4:**

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

Emission Unit: 1-AXBLR

Process: BXB

Source Classification Code: 1-02-005-05

Process Description:

Auxiliary boiler firing a methyl ester or biodiesel fuel.

Fuel is expected to be 99% biodiesel.

Emission Source/Control: AUXB2 - Combustion

Design Capacity: 77.3 million BTUs per hour

**Item 103.5:**

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

Emission Unit: 1-AXBLR

Process: BXG

Source Classification Code: 1-03-006-02

Process Description:

Cleaver Brooks Auxiliary Boiler firing natural gas.

Emission Source/Control: AUXB2 - Combustion

Design Capacity: 77.3 million BTUs per hour

**Item 103.6:**

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

Emission Unit: 1-AXBLR

Process: BXO

Source Classification Code: 1-03-005-02

Process Description:

Cleaver Brooks Auxiliary Boiler firing distillate oil

Emission Source/Control: AUXB2 - Combustion

Design Capacity: 77.3 million BTUs per hour

**Item 103.7:**

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

Emission Unit: 1-LM25T

Process: 25G

Source Classification Code: 2-02-002-02

Process Description: LM 2500 COMBUSTION TURBINE FIRING NATURAL GAS.

Emission Source/Control: 00CT2 - Combustion

Design Capacity: 253.7 million Btu per hour

Emission Source/Control: 0SCR2 - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Emission Source/Control: WINJ2 - Control  
Control Type: STEAM OR WATER INJECTION

**Item 103.8:**

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

Emission Unit: 1-LM25T  
Process: 25O  
Source Classification Code: 2-03-001-02  
Process Description: LM 2500 COMBUSTION TURBINE DISTILLATE OIL.

Emission Source/Control: 00CT2 - Combustion  
Design Capacity: 253.7 million Btu per hour

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

Emission Source/Control: WINJ2 - Control  
Control Type: STEAM OR WATER INJECTION

**Item 103.9:**

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

Emission Unit: 1-LM60T  
Process: 6DG  
Source Classification Code: 2-03-002-03  
Process Description:  
LM 6000 COMBUSTION TURBINE FIRING NATURAL  
GAS AND OPERATING WITH DUCT BURNERS FIRING  
NATURAL GAS.

Emission Source/Control: 000DB - Combustion  
Design Capacity: 59.6 million Btu per hour

Emission Source/Control: 00CT1 - Combustion  
Design Capacity: 416.5 million Btu per hour

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

Emission Source/Control: WINJ1 - Control  
Control Type: STEAM OR WATER INJECTION

**Item 103.10:**

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

Emission Unit: 1-LM60T  
Process: 6DO  
Source Classification Code: 2-02-001-03  
Process Description:



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

LM 6000 COMBUSTION TURBINE FIRING  
DISTILLATE OIL AND OPERATING WITH DUCT  
BURNERS FIRING NATURAL GAS.

Emission Source/Control: 000DB - Combustion  
Design Capacity: 59.6 million Btu per hour

Emission Source/Control: 00CT1 - Combustion  
Design Capacity: 416.5 million Btu per hour

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

Emission Source/Control: WINJ1 - Control  
Control Type: STEAM OR WATER INJECTION

**Item 103.11:**

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

Emission Unit: 1-LM60T

Process: 6NG

Source Classification Code: 2-03-002-02

Process Description:

LM 6000 COMBUSTION TURBINE FIRING NATURAL  
GAS AND OPERATING WITHOUT DUCT BURNERS.

Emission Source/Control: 00CT1 - Combustion  
Design Capacity: 416.5 million Btu per hour

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

Emission Source/Control: WINJ1 - Control  
Control Type: STEAM OR WATER INJECTION

**Item 103.12:**

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

Emission Unit: 1-LM60T

Process: 6NO

Source Classification Code: 2-03-001-02

Process Description:

LM 6000 COMBUSTION TURBINE FIRING  
DISTILLATE OIL AND OPERATING WITHOUT DUCT  
BURNERS.

Emission Source/Control: 00CT1 - Combustion  
Design Capacity: 416.5 million Btu per hour

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



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

Emission Source/Control: WINJ1 - Control  
Control Type: STEAM OR WATER INJECTION

**Condition 104: Process Permissible Emissions**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 104.1:**

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 1-AXBLR Process: AXG

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 20.6 pounds per hour  
0.2 pounds per million Btus  
180,456 pounds per year

Emission Unit: 1-AXBLR Process: AXO

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 19.8 pounds per hour  
0.2 pounds per million Btus  
21,463 pounds per year

Emission Unit: 1-AXBLR Process: BXO

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 2.78 pounds per hour  
0.036 pounds per million Btus  
24,353 pounds per year

Emission Unit: 1-LM25T Process: 25G

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 17.5 parts per million (by volume)  
10.3 pounds per hour  
90,228 pounds per year

**New York State Department of Environmental Conservation**  
**Permit ID: 6-4012-00053/00010      Facility DEC ID: 6401200053**



Emission Unit: 1-LM25T                      Process: 25O

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 37.5 parts per million (by volume)  
21.9 pounds per hour  
23,652 pounds per year

Emission Unit: 1-LM60T                      Process: 6DG

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 21 parts per million (by volume)  
22.5 pounds per hour  
197,100 pounds per year

Emission Unit: 1-LM60T                      Process: 6DO

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 21 parts per million (by volume)  
22.5 pounds per hour  
24,278 pounds per year

Emission Unit: 1-LM60T                      Process: 6NG

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 15 parts per million (by volume)  
15.3 pounds per hour  
134,028 pounds per year

Emission Unit: 1-LM60T                      Process: 6NO

CAS No: 000630-08-0  
Name: CARBON MONOXIDE  
PTE(s): 15 parts per million (by volume)  
15.3 pounds per hour  
16,509 pounds per year

Emission Unit: 1-AXBLR                      Process: AXG

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN  
PTE(s): 20.6 pounds per hour  
0.2 pounds per million Btus

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



180,456 pounds per year

Emission Unit: 1-AXBLR Process: AXO

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 19.8 pounds per hour

0.2 pounds per million Btus

21,463 pounds per year

Emission Unit: 1-AXBLR Process: BXG

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 9.26 pounds per hour

0.12 pounds per million Btus

69,300 pounds per year

Emission Unit: 1-AXBLR Process: BXO

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 9.26 pounds per hour

0.12 pounds per million Btus

69,300 pounds per year

Emission Unit: 1-LM25T Process: 25G

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 9 parts per million (by volume)

8.4 pounds per hour

73,584 pounds per year

Emission Unit: 1-LM25T Process: 25O

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 18 parts per million (by volume)

17.3 pounds per hour

18,684 pounds per year

Emission Unit: 1-LM60T Process: 6DG

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 9 parts per million (by volume)



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

15.8 pounds per hour  
138,408 pounds per year

Emission Unit: 1-LM60T Process: 6DO

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN  
PTE(s): 18 parts per million (by volume)  
32.4 pounds per hour  
34,960 pounds per year

Emission Unit: 1-LM60T Process: 6NG

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN  
PTE(s): 9 parts per million (by volume)  
13.5 pounds per hour  
118,260 pounds per year

Emission Unit: 1-LM60T Process: 6NO

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN  
PTE(s): 18 parts per million (by volume)  
28 pounds per hour  
30,212 pounds per year

**Condition 105: Use of alternative methods for measuring NO<sub>x</sub> during CEMS downtime**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.48b(f), NSPS Subpart Db**

**Item 105.1:**

This Condition applies to Emission Unit: 1-AXBLR

**Item 105.2:**

When nitrogen oxides emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7, Method 7A, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

**Condition 106: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 106.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-AXBLR

**Item 106.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

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 1/30/2007.

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

**Condition 107: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 107.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-AXBLR

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 107.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall maintain records of opacity measurements made by the monitoring system required under

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



40CFR60.48b(a).

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 108: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 108.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-AXBLR

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

**Item 108.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall maintain records of the following information for each steam generating unit operating day:

- 1) Calendar date.
- 2) The average hourly nitrogen oxides emission rates (expressed as NO<sub>2</sub>) (ng/J or lb/million Btu heat input) measured or predicted.
- 3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceeding 30 steam generating unit operating days.
- 4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emission standards under 40CFR60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken.
- 5) Identification of the steam generating unit operating

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.

6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.

7) Identification of the "F" factor used for calculations, method of determination, and type of fuel combusted.

8) Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.

9) Description of any modifications to the continuous monitoring system that could affect the ability of the system to comply with Performance Specification 2 or 3.

10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under 40CFR60 Appendix F, Procedure 1.

Monitoring Frequency: DAILY

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 109: Applicability of oxides of nitrogen standard.  
Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 109.1:**

This Condition applies to Emission Unit: 1-AXBLR

Process: AXB

Emission Source: AUXBL

**Item 109.2:**

The emissions standard for oxides of nitrogen shall apply at all times including periods of startup, shutdown, and malfunction.

**Condition 110: Averaging period.  
Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 110.1:**

This Condition applies to Emission Unit: 1-AXBLR



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

Process: AXB

Emission Source: AUXBL

**Item 110.2:**

Except as noted in paragraph (j) of this section, compliance with the emission limits shall be determined on a 30 day rolling average basis.

**Condition 111: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.45b(j), NSPS Subpart Db**

**Item 111.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-AXBLR

Process: AXB

Emission Source: AUXBL

**Item 111.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility that combusts very low sulfur oil is not subject to the compliance and performance testing requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

Monitoring Frequency: PER DELIVERY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 112: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 112.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-AXBLR

Process: AXG

Emission Source: AUXBL

Regulated Contaminant(s):

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

CAS No: 0NY075-00-0 PARTICULATES

**Item 112.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING IS REQUIRED FOR PM/PM-10  
EMISSIONS ONCE DURING THE TERM OF THIS  
PERMIT TO DETERMINE COMPLIANCE.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 1.03 pounds per hour

Reference Test Method: EPA METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 113: Applicability of oxides of nitrogen standard.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 113.1:**

This Condition applies to Emission Unit: 1-AXBLR

Process: AXG

Emission Source: AUXBL

**Item 113.2:**

The emissions standard for oxides of nitrogen shall apply at all times including periods of startup, shutdown, and malfunction.

**Condition 114: Averaging period.**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 114.1:**

This Condition applies to Emission Unit: 1-AXBLR

Process: AXG

Emission Source: AUXBL

**Item 114.2:**

Except as noted in paragraph (j) of this section, compliance with the emission limits shall be determined on a 30 day rolling average basis.

**Condition 115: Opacity monitoring requirements.**

**Effective between the dates of 07/05/2006 and 07/04/2011**



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Applicable Federal Requirement: 40CFR 60.48b(a), NSPS Subpart Db**

**Item 115.1:**

This Condition applies to Emission Unit: 1-AXBLR  
Process: AXO

**Item 115.2:**

Facilities subject to section 40 CFR 60-Db.43b opacity standard must install, calibrate, maintain, operate, and record the data from a continuous opacity monitor.

**Condition 116: Applicability of oxides of nitrogen standard.**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 116.1:**

This Condition applies to Emission Unit: 1-AXBLR  
Process: AXO Emission Source: AUXBL

**Item 116.2:**

The emissions standard for oxides of nitrogen shall apply at all times including periods of startup, shutdown, and malfunction.

**Condition 117: Averaging period.**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 117.1:**

This Condition applies to Emission Unit: 1-AXBLR  
Process: AXO Emission Source: AUXBL

**Item 117.2:**

Except as noted in paragraph (j) of this section, compliance with the emission limits shall be determined on a 30 day rolling average basis.

**Condition 118: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.45b(j), NSPS Subpart Db**

**Item 118.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-AXBLR  
Process: AXO Emission Source: AUXBL

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 118.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility that combusts very low sulfur oil is not subject to the compliance and performance testing requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

Monitoring Frequency: PER DELIVERY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2006.

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

**Condition 119: Exemption from sulfur dioxide monitoring requirements.  
Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.46c(e), NSPS Subpart Dc**

**Item 119.1:**

This Condition applies to Emission Unit: 1-AXBLR  
Process: BXB Emission Source: AUXB2

**Item 119.2:**

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

**Condition 120: Exemption from sulfur dioxide monitoring requirements.  
Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable Federal Requirement: 40CFR 60.46c(e), NSPS Subpart Dc**

**Item 120.1:**

This Condition applies to Emission Unit: 1-AXBLR  
Process: BXO Emission Source: AUXB2

**Item 120.2:**

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

**Condition 121: Compliance Certification  
Effective between the dates of 07/05/2006 and 07/04/2011**

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Item 121.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LM25T

Process: 25G

Regulated Contaminant(s):

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

CAS No: 0NY075-00-0 PARTICULATES

**Item 121.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING IS REQUIRED FOR PM/PM-10  
EMISSIONS ONCE DURING THE TERM OF THIS  
PERMIT TO DETERMINE COMPLIANCE.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 3.1 pounds per hour

Reference Test Method: EPA METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 122: Compliance Certification**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 122.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LM60T

Process: 6DG

Regulated Contaminant(s):

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

CAS No: 0NY075-00-0 PARTICULATES

**Item 122.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

STACK TESTING IS REQUIRED FOR PM/PM-10  
EMISSIONS ONCE DURING THE TERM OF THIS  
PERMIT TO DETERMINE COMPLIANCE.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 6.58 pounds per hour  
Reference Test Method: EPA METHOD 5  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 123: Compliance Certification**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 123.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LM60T  
Process: 6NG

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

**Item 123.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
STACK TESTING IS REQUIRED FOR PM/PM-10  
EMISSIONS ONCE DURING THE TERM OF THIS  
PERMIT TO DETERMINE COMPLIANCE.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 5.93 pounds per hour  
Reference Test Method: EPA METHOD 5  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



**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 124: Contaminant List**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: ECL 19-0301**

**Item 124.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

**Condition 125: Unavoidable noncompliance and violations**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 125.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

**Condition 126: Air pollution prohibited**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 126.1:**

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 127: Applicable Facility, with a unit of a capacity of 25 MWe or greater**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 127.1:**

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.



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

**Condition 128: Permit Requirements**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 128.1:**

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 accordance with the deadlines specified in NYCRR 237-3.2, which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

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

**Condition 129: Compliance Demonstration**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 129.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 129.2:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 130: Recordkeeping and Reporting Requirements**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 130.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

of 5 years, in writing by the department:

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

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

**Condition 131: Liability- facility no common stacks**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 131.1:**

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 132: Effect on other Authorities**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 237-1.6(g)**

**Item 132.1:**

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

**Condition 133: Authorization and responsibilities of the NOx authorized**

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**account representative**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 237-2**

Item 133.1:

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.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Condition 134: Compliance Demonstration**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 237-4.1**

**Item 134.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 134.2:**

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

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> 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<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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 135: Submission of NOx allowance transfers**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 237-7.1**

**Item 135.1:**

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 136: Compliance Demonstration**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 237-8**

**Item 136.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 136.2:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

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: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 137: Applicability**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 238-1.4**

**Item 137.1:**

This facility has one or more affected SO2 budget units as defined at 42 U.S.C. section 7651aC(2) and is subject to the requirements of NYCRR 238.

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**Condition 138: Permit Requirements**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 138.1:**

The SO2 authorized account representative of each SO2 budget unit shall:

(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2, which states the later of January 1, 2004 or 12 months before the date on which the SO2 budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO2 budget permit application and issue or deny an SO2 budget permit.

The owners and operators of each SO2 budget unit shall have an SO2 budget permit and operate the unit in compliance with such SO2 budget permit.

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



**Condition 139: Compliance Demonstration**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 139.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 139.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of each SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 238-1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall: Forfeit the SO<sub>2</sub> allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 140: Record Keeping and Reporting Requirements**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 140.1:**

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> 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.

The account certificate of representation for the SO<sub>2</sub> authorized account representative for the source and each SO<sub>2</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO<sub>2</sub> authorized account representative;

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

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO<sub>2</sub> Budget Trading Program;

Copies of all documents used to complete an SO<sub>2</sub> budget permit application and any other submission under the ADR SO<sub>2</sub> Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program;

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



The SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall submit the reports and compliance certifications required under the ADR SO<sub>2</sub> Budget Trading Program, including those under NYCRR 238-4, or 238-8.

**Condition 141: Liability**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 141.1:**

No permit revision shall excuse any violation of the requirements of the ADR SO<sub>2</sub> Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget source (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source) shall also apply to the owners and operators of such source and of the SO<sub>2</sub> budget units at the source;

Any provision of the ADR SO<sub>2</sub> Budget Trading Program that applies to an SO<sub>2</sub> budget unit (including a provision applicable to the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO<sub>2</sub> authorized account representative of one SO<sub>2</sub> budget unit shall not be liable for any violation by any other SO<sub>2</sub> budget unit of which they are not owners or operators or the SO<sub>2</sub> authorized account representative and that is located at a source of which they are not owners or operators or the SO<sub>2</sub> authorized account representative.

**Condition 142: Effect on Other Authorities**

**Effective between the dates of 07/05/2006 and 07/04/2011**

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

**Item 142.1:**

No provision of the ADR SO<sub>2</sub> Budget Trading Program, an SO<sub>2</sub> budget permit application, or an SO<sub>2</sub> budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source or SO<sub>2</sub> budget unit from compliance with any other provisions of applicable State and federal law and regulation.

**Condition 143: Submissions to the Department**

**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 238-2.1**

**Item 143.1:**

Each submission under the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO<sub>2</sub> authorized account representative:

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



"I am authorized to make this submission on behalf of the owners and operators of the SO2 budget sources or SO2 budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 144: Compliance Demonstration**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 238-4.1**

**Item 144.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 144.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO2 budget units at a source are subject to the SO2 budget emissions limitation, the SO2 authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO2 authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO2 budget emissions limitation for the control period covered by the report:

- (1) identification of each SO2 budget unit;
- (2) except in instances when the SO2 budget unit seeks to use future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO2 authorized account representative's option, the serial numbers of the SO2 allowances that are to be deducted from

**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**



each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO<sub>2</sub> 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 SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report



**New York State Department of Environmental Conservation**

**Permit ID: 6-4012-00053/00010**

**Facility DEC ID: 6401200053**

resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: MARCH 1

**Condition 145: Submission of SO2 allowance transfers**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 238-7.1**

Item 145.1:

The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO2 allowance to be transferred; and
- (c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

**Condition 146: Compliance Demonstration**  
**Effective between the dates of 07/05/2006 and 07/04/2011**

**Applicable State Requirement: 6NYCRR 238-8**



**Item 146.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 146.2:**

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 SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION