



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 7-0302-00079/00009
Effective Date: 10/28/2004 Expiration Date: 10/28/2009

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 7-0302-00079/00010
Effective Date: 10/28/2004 Expiration Date: 10/28/2009

Permit Issued To: STANDARD BINGHAMTON LLC
650 MADISON AVE - 25TH FL
NEW YORK, NY 10022

Contact: DOUGLAS J HAGLUND
IPP ENERGY LLC
22 CHARLES ST
BINGHAMTON, NY 13905
(607) 773-3307

Facility: BINGHAMTON CO-GENERATION PLANT
22 CHARLES ST
BINGHAMTON, NY 13905

Description:
The Binghamton Co-generation facility is a stationary gas turbine, subject to Title IV of the Acid Rain Program. The Title V permit is attached separately.

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

Permit Administrator: MICHAEL K BARYLSKI
DIVISION OF ENVIRONMENTAL PERMITS
1285 FISHER AVE
CORTLAND, NY 13045-1090

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and
Determinations
Applications for Permit Renewals and Modifications
Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION
7 SUBOFFICE



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:



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 7
SUBOFFICE
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 7 Sub-office
Division of Environmental Permits
1285 Fisher Avenue
Cortland, NY 13045-1090
(607) 753-3095

New York State Department of Environmental Conservation

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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650 MADISON AVE - 25TH FL
NEW YORK, NY 10022

Facility: BINGHAMTON CO-GENERATION PLANT
22 CHARLES ST
BINGHAMTON, NY 13905

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

Permit Effective Date: 10/28/2004

Permit Expiration Date: 10/28/2009



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Submission of Applications for Permit Modification or Renewal -REGION
7 SUBOFFICE

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 201-6: Emission Unit Definition
- 2 6NYCRR 201-6.1(a): Compliance Certification
- 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 40CFR 68: Accidental release provisions.
- 10 40CFR 82, Subpart F: Recycling and Emissions Reduction

Emission Unit Level

- 11 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 12 6NYCRR 201-6: Process Definition By Emission Unit

EU=0-00001

- 13 6NYCRR 201-1.4(a): Compliance Certification
- 14 6NYCRR 201-6.1(a): Compliance Certification
- 15 6NYCRR 201-6.1(a): Compliance Certification
- 16 6NYCRR 201-6.1(a): Compliance Certification
- 17 6NYCRR 204-1.6: Compliance Certification
- 18 6NYCRR 204-2.1: Submissions to the Department.
- 19 6NYCRR 204-4.1: annual NOx budget certification report
- 20 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 21 6NYCRR 204-8.1: General provisions.
- 22 6NYCRR 204-8.1: Prohibitions.
- 23 6NYCRR 204-8.2: Compliance Certification
- 24 40CFR 60, NSPS Subpart GG: Compliance Certification
- 25 40CFR 60, NSPS Subpart GG: Compliance Certification
- 26 40CFR 75.19, Subpart B: Compliance Certification

EU=0-00001,Proc=CTO

- 27 6NYCRR 201-6.1(a): Compliance Certification
- 28 6NYCRR 201-6.1(a): Compliance Certification
- 29 6NYCRR 201-6.1(a): Compliance Certification
- 30 6NYCRR 227-1.3(a): Compliance Certification



31 6NYCRR 227.2(b)(1): Compliance Certification

EU=0-00003,Proc=OIL

32 6NYCRR 227-1.3(a): Compliance Certification

33 6NYCRR 227.2(b)(1): Compliance Certification

34 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

35 ECL 19-0301: Contaminant List

36 6NYCRR 201-1.4: Unavoidable noncompliance and violations

37 6NYCRR 201-7: Facility Permissible Emissions

*38 6NYCRR 201-7: Capping Monitoring Condition

*39 6NYCRR 201-7: Capping Monitoring Condition

40 6NYCRR 211.2: Air pollution prohibited

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: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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.

Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: 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 F: Recycling and Salvage - 6NYCRR Part 201-1.7

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 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

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

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

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

Item I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

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 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 K: 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 L: 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 M: 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 N: 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 O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

The permittee 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. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the



permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Item P: 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 order to maintain compliance with the conditions of this permit.

Item Q: 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 R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility 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 facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Item T: 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 U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

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

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

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 provisions 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 in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements



specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.



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

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

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

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

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.

Item AA: Open Fires - 6 NYCRR Part 215

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

Item BB: 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 CC: 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.

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

Condition 1: Emission Unit Definition

Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 1.1:

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

Emission Unit: 0-00001

Emission Unit Description:

410 MMBTU/HR COMBUSTION GAS TURBINE USED TO PROVIDE STEAM AND ELECTRICITY GENERATION. COMBUSTION GAS TURBINE IS FUELED BY NATURAL GAS. DURING PERIODS OF NATURAL GAS CURTAILMENT, THE COMBUSTION GAS TURBINE IS FUELED BY NUMBER 2 OIL. THE EMISSIONS GENERATED BY THE COMBUSTION GAS TURBINE ARE DIRECTED TO EMISSION POINT 00001. A DUCT BURNER MAY BE USED IN CONJUNCTION WITH THE COMBUSTION GAS TURBINE DURING NATURAL GAS FIRING OPERATIONS.

Building(s): MAIN

Item 1.2:

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



the excess emission.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.1 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**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 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 10/28/2004 and 10/28/2009**

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 10/28/2004 and 10/28/2009

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 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 10/28/2004 and 10/28/2009

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.

(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.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by



regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

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:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period



consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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

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

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

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

The address for the RAPCE is as follows:

615 Erie Boulevard, West
Syracuse, NY 13204-2400

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 1/30/2005.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

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

Condition 8: Recordkeeping requirements
Effective between the dates of 10/28/2004 and 10/28/2009

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.

**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

annual reporting only if effectuated during the reporting period. [NOTE: The corresponding compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 9: Accidental release provisions.
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:40CFR 68

Item 9.1:

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 10: Recycling and Emissions Reduction
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:40CFR 82, Subpart F

Item 10.1:

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

**** Emission Unit Level ****

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



Condition 11: Emission Point Definition By Emission Unit
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 11.1:

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

Emission Unit: 0-00001

Emission Point: 00001

Height (ft.): 200

Diameter (in.): 132

NYTMN (km.): 4662.222 NYTME (km.): 424.732

Item 11.2:

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

Emission Unit: 0-00003

Emission Point: 00002

Height (ft.): 110

Diameter (in.): 44

NYTMN (km.): 4662.222 NYTME (km.): 424.732

Condition 12: Process Definition By Emission Unit
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 12.1:

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

Emission Unit: 0-00001

Process: CTD

Source Classification Code: 2-01-002-01

Process Description:

410 mmBtu/hr combustion gas turbine operated for the purpose of providing steam and electricity generation fueled by natural gas in conjunction with a duct burner operated for the purpose of providing additional heat to the emission stream. The duct burner is operated in conjunction with the combustion turbine only when the gas turbine is fired with natural gas.

Emission Source/Control: DCTBR - Combustion

Design Capacity: 70 million Btu per hour

Emission Source/Control: GASTB - Combustion

Design Capacity: 410 million Btu per hour

Emission Source/Control: COCAT - Control

Control Type: CATALYTIC OXIDATION

Item 12.2:



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

Emission Unit: 0-00001
Process: CTG Source Classification Code: 2-01-002-01
Process Description:
410 mmBtu/hr combustion gas turbine (fueled by natural gas) operated for the purpose of providing steam and electricity generation.

Emission Source/Control: GASTB - Combustion
Design Capacity: 410 million Btu per hour

Emission Source/Control: COCAT - Control
Control Type: CATALYTIC OXIDATION

Item 12.3:

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

Emission Unit: 0-00001
Process: CTO Source Classification Code: 2-02-009-01
Process Description:
410 mmBtu/hr combustion turbine (fired by kerosene) operated for the purpose of providing steam and electricity generation. The gas turbine is fired with kerosene during periods of natural gas curtailment.

Emission Source/Control: GASTB - Combustion
Design Capacity: 410 million Btu per hour

Emission Source/Control: COCAT - Control
Control Type: CATALYTIC OXIDATION

Item 12.4:

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

Emission Unit: 0-00003
Process: GAS Source Classification Code: 1-02-006-02
Process Description:
AUXILIARY BOILER OPERATED FOR THE PURPOSE OF PROVIDING STEAM. THE AUXILIARY BOILER IS FIRED BY NATURAL GAS AND WILL BE OPERATED DURING PERIODS IN WHICH THE COMBUSTION GAS TURBINE IS NON-OPERATIONAL (EXCEPT DURING PERIODS OF START-UP AND SHUTDOWN).

Emission Source/Control: AUXBO - Combustion
Design Capacity: 99 million Btu per hour

Item 12.5:

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

Emission Unit: 0-00003
Process: OIL Source Classification Code: 1-02-005-02



Process Description:

AUXILIARY BOILER FOR THE PURPOSE OF PROVIDING STEAM. THE AUXILIARY BOILER IS FIRED WITH KEROSENE DURING PERIODS OF NATURAL GAS CURTAILMENT AND WHEN THE COMBUSTION GAS TURBINE IS NON-OPERATIONAL (EXCEPT DURING PERIODS OF START-UP AND SHUTDOWN).

Emission Source/Control: AUXBO - Combustion

Design Capacity: 99 million Btu per hour

Condition 13: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 6NYCRR 201-1.4(a)

Item 13.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Item 13.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Startup/shutdown

- (a) The owner or operator shall develop and maintain procedures for the cold start of operations for the gas turbine, and for the shutdown of the gas turbine. Such procedures shall define temperatures and pressures for steam injection permissive, upon which steam may be injected to the gas turbine for control of NO_x emissions. These procedures must be submitted to the DEC within 60 days of receipt of this permit.
- (b) Deviations from the procedures developed in accordance with Item (a) of this condition shall be noted in a written log (or otherwise documented, such as in a computer system).
- (c) Startup and shutdown shall be accomplished within the procedures required to be developed in Item (a) of this condition. The time period for excess emissions during startup shall not exceed 3 hours under any circumstance (commencing with first firing of fuel and ending with the conditions for achieving steam injection permissive). The time for shutdown shall not exceed one-half hour, commencing with the stop of steam injection flow.
- (d) Excess emissions after steam injection permissive (or



after the proper steam temperatures and pressures have been reached) shall not be considered excess emissions due to startup, regardless of the time since first firing.

(d) Emissions shall be monitored and recorded whenever fuel is fired. Periods of excess emissions due to startup and shutdown must be identified in the quarterly excess emissions report. For those periods of excess emissions due to startup or shutdown where procedures deviated from the startup procedures developed in accordance with Item (a) of this condition, the owner or operator shall describe how the actual startup or shutdown procedures deviated from the written procedures.

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 1/30/2005.

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

Condition 14: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 14.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies to stack emissions while combusting natural gas in the gas turbine, with or without firing natural gas in the duct burner.

Emissions of carbon monoxide shall not exceed 35 pounds per hour, averaged over each one block hour period. Emissions shall be monitored using a continuous emission monitor.

The owner or operator shall submit to the DEC a report of excess emissions. Such report shall be submitted in a



format approved by the DEC within 30 days of the end of each calendar quarter.

Manufacturer Name/Model Number: CEM
Upper Permit Limit: 35 pounds per hour
Reference Test Method: 40 CFR Appendices B, F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 3 calendar month(s).

Condition 15: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 15.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

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

Item 15.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies to stack emissions while combusting natural gas in the gas turbine, with or without firing natural gas in the duct burner.

Emissions of nitrogen oxides shall not exceed 38.4 pounds per hour, averaged over each one block hour period.

Emissions shall be monitored using a continuous emission monitor.

The owner or operator shall submit to the DEC a report of excess emissions. Such report shall be submitted in a format approved by the DEC within 30 days of the end of each calendar quarter.

Manufacturer Name/Model Number: CEM
Upper Permit Limit: 38.4 pounds per hour
Reference Test Method: 40 CFR Appendices B, F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.



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

Condition 16: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 201-6.1(a)

Item 16.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

Item 16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies to stack emissions while combusting natural gas in the gas turbine, with or without firing natural gas in the duct burner.

Emissions of nitrogen oxides shall be limited to 20 ppm by volume, corrected to 15% O₂, for each one clock hour period. Emissions shall be monitored using a continuous emission monitor.

The owner or operator shall submit to the DEC a report of excess emissions. Such report shall be submitted in a format approved by the DEC within 30 days of the end of each calendar quarter.

Manufacturer Name/Model Number: CEM

Upper Permit Limit: 20 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Appendices B, F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 17: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 204-1.6

Item 17.1:

The Compliance Certification activity will be performed for:



Emission Unit: 0-00001

Regulated Contaminant(s):

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

Item 17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Pursuant to 6 NYCRR 204-1.6(b)(1), the owners and operators and, to the extent applicable, the NO_x authorized account representative of each NO_x budget source and each NO_x budget unit at the source shall comply with the monitoring requirements of 6 NYCRR 204-8. Pursuant to 6 NYCRR 204-1.6(b)(2), the emission measurements recorded and reported in accordance with 6 NYCRR 204-8 shall be used to determine compliance by the unit with the NO_x budget emission limitation under 6 NYCRR 204-1.6(c).

Pursuant to 6 NYCRR 204-1.6(c), the owners and operators of each NO_x budget source and each NO_x budget unit at the source shall hold NO_x allowances available for compliance deductions under 6 NYCRR 204-6.5, as of the NO_x allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_x emissions for the control period from the unit, as determined in accordance with 6 NYCRR 204-8. The Department shall use the procedures in 6 NYCRR 204-6.5 for deducting NO_x allowances.

The owners and operators of a NO_x budget unit that has excess emissions in any control period shall (1) forfeit the NO_x allowances required for this deduction under 6 NYCRR 204-6.5(d)(1) and (2) pay any fine penalty or assessment or comply with any other remedy imposed under 6 NYCRR 204-6.5(d)(3).

On an annual basis, the owner or operator shall submit to the DEC a report stating whether enough allowances were available for deduction by the NO_x allowance transfer deadline in an amount not less than the total NO_x emissions for the prior year's control period; and the amount of such emissions, in tons.

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 1/30/2005.

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



Condition 18: Submissions to the Department.
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 204-2.1

Item 18.1:

This Condition applies to Emission Unit: 0-00001

Item 18.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 19: annual NOx budget certification report
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 19.1:

This Condition applies to Emission Unit: 0-00001

Item 19.2:

Emission Unit 00001 is a NOx budget unit, subject to 6 NYCRR 204.

(a) For each control period, the NOx authorized account representative shall submit to the department and the EPA administrator by November 30th of that year, a compliance certification for the NOx budget unit. The report shall contain the information in 6 NYCRR 204-4.1(b) and (c).

(b) Contents of report. The NOx authorized account representative shall include in the compliance certification report under subdivision (a) of this section 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;

(2) 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 section 204-6.5 of this Part 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 Subpart 204-8 of this Part, the percentage of NOx allowances that is to be deducted from each unit's compliance account under section 204-6.5(e) of this Part; and

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

(c) Compliance certification. In the compliance certification report under subdivision (a) of this section, 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:

(1) whether the unit was operated in compliance with the NOx budget emissions limitation;

(2) 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 of this Part;

(3) 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 of this Part. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;

(4) whether the facts that form the basis for certification under Subpart 204-8 of this Part 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 of this Part, if any, has changed; and

(5) if a change is required to be reported under paragraph (4) of this subdivision, 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 20: Submission of NOx allowance transfers.
Effective between the dates of 10/28/2004 and 10/28/2009**

Applicable Federal Requirement:6NYCRR 204-7.1

Item 20.1:

This Condition applies to Emission Unit: 0-00001

Item 20.2: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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



Condition 21: General provisions.
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 21.1:

This Condition applies to Emission Unit: 0-00001

Item 21.2: 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 "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

Condition 22: Prohibitions.
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 22.1:

This Condition applies to Emission Unit: 0-00001

Item 22.2: No owner or operator of a NOx Budget unit or a non-NOx 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, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 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 NOx 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 NOx 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 23: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 23.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

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

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This emission unit is subject to the EPA's Acid Rain Program's regulations found at 40 CFR Parts 72 and 75. These regulations requires monitoring of NOx emissions. This emission unit is also subject to the NOx budget program (6 NYCRR 204) and NOx acid deposition reeduction program (6 NYCRR 237). All three of these programs require the owners and operators to monitor emissions of NOx.

The owner or operator must monitor NOx emissions using either continuous emission monitors, or an alternative means approved by the EPA, or using the low mass emitting provisions of 40 CFR Part 75, Subpart H.

(1) The facility must maintain, on site, all correspondence with the EPA and the DEC showing whether the emissions monitoring methods have been approved by EPA and/or the Department. Such correspondence includes, but is not limited to, applications for initial certification of the system(s) and applications for re-certification, if any.

(2) If the facility is monitoring emissions using the excepted methods for low mass emission units under 40 CFR 75.19, the owners and applicants must maintain, on-site, documentation that the emission unit qualifies as a low mass emission unit.

(3) The owner and operator must maintain a copy of the CEM monitoring plan on-site. Copies of all monitoring plans must be maintained on-site, even after the plan is revised or replaced.



content of the fuel being fired in the gas turbine exceeds 0.8 percent by weight. Each report shall include the sulfur content of the fuel during the period of excess emissions. Additionally, if the owners or operator burns fuel containing sulfur in excess of 0.8 percent, the owners or operators shall submit to DEC a report of such excess emissions within 30 days of its occurrence.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.8 percent by weight

Reference Test Method: Per 40 CFR 60.335

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 25: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 40CFR 60, NSPS Subpart GG

Item 25.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

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

Item 25.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This emission unit (gas turbine firing natural gas and oil) is subject to 40 CFR Part 60, Subpart GG. No owner or operator shall cause to be discharged into the atmosphere any gases which contain nitrogen oxides in excess of 75 ppm, corrected to 15 percent on a dry basis.

This emission unit is subject to a more stringent emission standard than 40 CFR Part 60, Subpart GG, as described elsewhere in this permit. This condition does not waive the requirement to comply with those conditions.

Pursuant to 40 CFR 60.334(b), the owner or operator shall



install, certify, maintain operate and quality-assure a continuous emissions monitoring system (CEMS) consisting of NO_x and O₂ monitors. Each CEMS must be installed and certified according to PS 2 and 3 or 40 CFR Part 75 (as allowed in 40 CFR 60.334(b)(3)(iii)). Emissions must be corrected to 15% oxygen and ISO standard conditions, unless the ISO requirement is waived by EPA.

During each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing and data recording) for each 15 minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

On a calendar quarter basis, the owner or operator shall submit to the DEC and EPA a report of excess emissions. For the purposes of the excess emissions and monitoring system performance report, periods of excess emissions are defined as any hour in which the four hour rolling average emissions of nitrogen oxide exceed 75 ppm by volume, on a dry basis. Each report shall include the times each excess emission period began and ended, the average magnitude of those emissions, the cause of the excess emission and the corrective action taken. Additionally, the owners or operators shall submit to DEC a report of such excess emissions within 30 days of its occurrence.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 75 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: EPA Method 20

Monitoring Frequency: CONTINUOUS

Averaging Method: 4-HOUR ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 26: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 40CFR 75.19, Subpart B

Item 26.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001



Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The combustion turbine is subject to the Acid Rain Program, which requires monitoring and reporting of carbon dioxide emissions. The facility qualifies as a low emitter and is monitoring CO₂ emissions in accordance with 40 CFR 75.19(c). Under these provisions, the owners must emit no more than 25 tons of SO₂ annually. On an annual basis, the owner must demonstrate that actual emissions of SO₂ are less than 25 tons. If the owner fails to provide the required annual demonstration such that the calculated cumulative emissions for the unit exceed 25 tons at the end of any calendar year, then the owner or operator of the low mass emissions unit shall install and certify any equipment needed to insure that the unit is monitoring emissions using an acceptable methodology by December 31 of the following year.

Quarterly reports must be submitted to the EPA within 30 days of the end of each calendar quarter. cumulative SO₂ emissions must be computed using the methodology in 40 CFR 75.19. The owner must calculate SO₂ emissions using the SO₂ emission rate in Table LM - 1 of 40 CFR 75.19, which is 0.0006 lb/mmBtu. Hourly, quarterly and annual heat input shall be determined using either the maximum rated hourly heat input method under 40 CFR 75.19(c)(3)(i) or the long term fuel flow method under paragraph 40 CFR 75.19(c)(3)(ii).

The facility must maintain a fuel flow meter according to 40 CFR 75, Appendix D.

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 1/30/2005.

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

Condition 27: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement:6NYCRR 201-6.1(a)

Item 27.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Process: CTO



Regulated Contaminant(s):

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

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies to stack emissions while combusting fuel oil in the gas turbine, with or without firing natural gas in the duct burner.

Emissions of nitrogen oxides shall not exceed 42 ppm corrected to 15% on a dry basis, averaged over each one block hour period. Emissions shall be monitored using a continuous emission monitor.

The owner or operator shall submit to the DEC a report of excess emissions. Such report shall be submitted in a format approved by the DEC within 30 days of the end of each calendar quarter.

Manufacturer Name/Model Number: CEM

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

Reference Test Method: 40 CFR Appendices B, F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 28: Compliance Certification

Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 28.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Process: CTO

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:



This permit condition applies to stack emissions while combusting oil in the gas turbine, with or without firing natural gas in the duct burner.

Emissions of carbon monoxide shall not exceed 50 pounds per hour, averaged over each one block hour period. Emissions shall be monitored using a continuous emission monitor.

The owner or operator shall submit to the DEC a report of excess emissions. Such report shall be submitted in a format approved by the DEC within 30 days of the end of each calendar quarter.

Manufacturer Name/Model Number: CEM

Upper Permit Limit: 50 pounds per hour

Reference Test Method: 40 CFR Appendices B, F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 02/26/2005 for the period 10/28/2004 through 01/27/2005

Condition 29: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 29.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Process: CTO

Regulated Contaminant(s):

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

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies to stack emissions while combusting oil in the gas turbine, with or without firing natural gas in the duct burner.

Emissions of nitrogen oxides shall not exceed 72 pounds per hour, averaged over each one block hour period. Emissions shall be monitored using a continuous emission monitor.

The owner or operator shall submit to the DEC a report of excess emissions. Such report shall be submitted in a format approved by the DEC within 30 days of the end of



each calendar quarter.

Manufacturer Name/Model Number: CEM
Upper Permit Limit: 72 pounds per hour
Reference Test Method: 40 CFR Appendices B, F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 3 calendar month(s).

Condition 30: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

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

Item 30.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001
Process: CTO

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

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

Upon the written request of the DEC, the owner or operator shall conduct opacity emissions testing of the device in accordance with 40 CFR Part 60, Appendix A, Method 9.

Additionally, the owner or operator shall conduct opacity emissions testing at least once per permit term. Such testing shall be waived if, during each calendar year of the permit term, oil is fired for less than 168 cumulative hours, per year.

Such emissions testing shall be conducted in accordance with 6 NYCRR 202-1.2 and 6 NYCRR 202-1.3.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether emissions tests were



conducted. In the event that emissions of opacity exceed the allowable limit, the owner or operator shall submit to the DEC a report of such excess emissions within 30 days of the excess emission.

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 (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 31: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

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

Item 31.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001
Process: CTO

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

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Pursuant to Section 110 of the Federal Clean Air Act, the EPA approved, as part of New York's State Implementation Plan, a regulation for the control of particulate matter. The Department has since revised this rule, changing the applicability criteria and the numerical limits. The revisions, however, have not been approved by the EPA. This condition requires compliance with the rule as it is contained in the federally-approved SIP. This requirement was previously cited as 6 NYCRR 227.2(b)(1) and is listed in the table of EPA-approved New York State regulations cited under 40 CFR 52.1679 Subpart HH. The requirements is stated as follows:

No person shall cause, permit or allow a two hour average emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million Btu heat input from any oil fired stationary combustion installation. Upon



written application, the commissioner may exempt a person from the provisions of this section, when in view of the properties of the emissions, isolated conditions, stack height and other factors, it is clearly demonstrated that the emissions thus permitted will not cause a contravention of established air quality standards.

Compliance testing shall be performed at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 32: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

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

Item 32.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00003

Process: OIL

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

Upon the written request of the DEC, the owner or operator shall conduct opacity emissions testing of the device in accordance with 40 CFR Part 60, Appendix A, Method 9.

Additionally, the owner or operator shall conduct opacity emissions testing at least once per permit term. Such testing shall be waived if, during each calendar year of



the permit term, oil is fired for less than 168 cumulative hours, per year.

Such emissions testing shall be conducted in accordance with 6 NYCRR 202-1.2 and 6 NYCRR 202-1.3.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether emissions tests were conducted. In the event that emissions of opacity exceed the allowable limit, the owner or operator shall submit to the DEC a report of such excess emissions within 30 days of the excess emission.

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 (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

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

Item 33.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00003
Process: OIL

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

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Pursuant to Section 110 of the Federal Clean Air Act, the EPA approved, as part of New York's State Implementation Plan, a regulation for the control of particulate matter. The Department has since revised this rule, changing the applicability criteria and the numerical limits. The revisions, however, have not been approved by the EPA. This condition requires compliance with the rule as it is contained in the federally-approved SIP. This requirement was previously cited as 6 NYCRR 227.2(b)(1) and is listed in the table of EPA-approved New York State regulations



cited under 40 CFR 52.1679 Subpart HH. The requirements is stated as follows:

No person shall cause, permit or allow a two hour average emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million Btu heat input from any oil fired stationary combustion installation. Upon written application, the commissioner may exempt a person from the provisions of this section, when in view of the properties of the emissions, isolated conditions, stack height and other factors, it is clearly demonstrated that the emissions thus permitted will not cause a contravention of established air quality standards.

Compliance testing shall be performed at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 34: Compliance Certification
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable Federal Requirement: 40CFR 60.42c(d), NSPS Subpart Dc

Item 34.1:

The Compliance Certification activity will be performed for:

Emission Unit: 0-00003

Process: OIL

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 34.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The auxiliary boiler is subject to 40 CFR Part 60, Subpart Dc. Under that standard, the owner or operator must not combust oil that contains greater than 0.5 weight percent sulfur, based on a 30 day rolling average. However, the allowable sulfur limit, stated elsewhere in this permit, is 0.1 weight percent, to be met on an



instantaneous basis.

Compliance with 40 CFR 60.42c(d) must be determined according to 60.46c(d)(2) or 60.46c(e), as follows:

60.46c(d)(2): If oil sampling is to be conducted, oil samples must be collected from the fuel storage tank immediately after the fuel tank is filled and before any oil is combusted. The owner or operator shall analyze the oil sample to determine the sulfur content of the oil. If a partially empty fuel tank is refilled, a new sample taken after each new shipment of oil is received shall be used as the daily value when calculating the thirty day average until the next shipment is received.

60.46c(e): the owner or operator demonstrates compliance with the SO₂ standard based on fuel supplier certification pursuant to 40 CFR 60.48c(e)(11) and (f)(1). The vendor certifications shall include the name of the fuel oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c.

On a semi-annual basis, the owner or operator must submit to the DEC and the EPA a report of any excess emissions.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: .5 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 30-DAY ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 35: Contaminant List
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable State Requirement:ECL 19-0301

Item 35.1:

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

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

CAS No: 007446-09-5



Name: SULFUR DIOXIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 36: Unavoidable noncompliance and violations
Effective between the dates of 10/28/2004 and 10/28/2009**

Applicable State Requirement: 6NYCRR 201-1.4

Item 36.1:

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

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

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

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

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which



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

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

Condition 37: Facility Permissible Emissions
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable State Requirement:6NYCRR 201-7

Item 37.1:

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: 190,000 pounds per year
Name: CARBON MONOXIDE

CAS No: 0NY210-00-0 PTE: 190,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 38: Capping Monitoring Condition
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable State 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:

6NYCRR 201-6.1

Item 38.2:

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

Item 38.3:

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

Item 38.4:



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

Item 38.5:

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

Item 38.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 38.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility-wide emissions of carbon monoxide shall not exceed 95 tons/year for each 12 calendar month rolling period.

Emissions from the stationary gas turbine shall be monitored using continuous emissions monitored installed and operated in accordance with 40 CFR Part 60, Appendices B and F. The facility shall conduct quality assurance audits (quarterly cylinder gas audits and annual relative accuracy test audits) according to 40 CFR Part 60, Appendix F.

On an annual basis, the owner or operator shall submit to DEC a report stating the amount of CO emitted for each prior 12 calendar-month period. Whenever the 12 month emissions limitation is exceeded, the owner or operator shall notify the DEC of such excess emission within 30 days of such occurrence.

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 1/30/2005.

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

Condition 39: Capping Monitoring Condition
Effective between the dates of 10/28/2004 and 10/28/2009



Applicable State 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:

6NYCRR 231-2

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 Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 39.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility-wide emissions of NO_x shall not exceed 95 tons/year for each 12 calendar month rolling period.

Emissions shall be monitored using continuous emissions monitored installed and operated in accordance with 40 CFR Part 60, Appendices B and F. The facility shall conduct



quality assurance audits (quarterly cylinder gas audits and annual relative accuracy test audits) according to 40 CFR Part 60, Appendix F. Linearity tests conducted in accordance with 40 CFR Part 75 satisfy the requirement to do a cylinder gas audit. In those calendar quarters where a linearity test is not performed, a cylinder gas audit is required.

On an annual basis, the owner or operator shall submit to DEC a report stating the amount of NO_x emitted for each prior 12 calendar-month period. Whenever the 12 month emissions limitation is exceeded, the owner or operator shall notify the DEC of such excess emission within 30 days of such occurrence.

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 1/30/2005.

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

Condition 40: Air pollution prohibited
Effective between the dates of 10/28/2004 and 10/28/2009

Applicable State Requirement:6NYCRR 211.2

Item 40.1:

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.

New York State Department of Environmental Conservation

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079

