



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 7-0302-00079/00009  
Effective Date:

Expiration Date:

Permit Issued To: BINGHAMTON BOP LLC  
DANIEL RICHARDSON  
650 BERCUT DR STE C  
SACRAMENTO, CA 95811

Contact: BINGHAMTON BOP LLC  
DANIEL RICHARDSON  
650 BERCUT DR STE C  
SACRAMENTO, CA 95811  
(530) 755-3280

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

Description:  
Title V renewal and modification to allow fuel oil combustion.

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: JOSEPH M DLUGOLENSKI  
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, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal-REGION 7 HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

Permits are transferrable with the approval of the department unless specifically prohibited by



the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 7 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 7 Headquarters  
Division of Environmental Permits  
615 Erie Blvd West  
Syracuse, NY 13204-2400  
(315) 426-7400



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: BINGHAMTON BOP LLC  
DANIEL RICHARDSON  
650 BERCUT DR STE C  
SACRAMENTO, CA 95811

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

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

Permit Effective Date:

Permit Expiration Date:



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.4 (a) (7): Fees
- 3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
- 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.4 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 17 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 19 40 CFR Part 68: Accidental release provisions.
- 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 21 6 NYCRR Subpart 201-6: Emission Unit Definition
- 22 6 NYCRR 201-6.1 (a): Compliance Certification
- 23 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 24 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*25 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*26 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 27 6 NYCRR 211.1: Air pollution prohibited
- 28 6 NYCRR 225-1.2: Compliance Certification
- 29 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification
- 30 40CFR 63.11205(a), Subpart JJJJJ: Good air pollution control practices
- 31 40CFR 63.11225(a), Subpart JJJJJ: Compliance Certification
- 32 40CFR 63.11225(c), Subpart JJJJJ: Compliance Certification
- 33 40CFR 63.11225(d), Subpart JJJJJ: Form of records
- 34 40CFR 97.406, Subpart AAAAA: Compliance Certification
- 35 40CFR 97.506, Subpart BBBB: Compliance Certification
- 36 40CFR 97.606, Subpart CCCCC: Compliance Certification

#### Emission Unit Level

- 37 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 38 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

#### EU=0-00001

- 39 6 NYCRR 201-1.4 (a): Compliance Certification
- 40 6 NYCRR 201-6.1 (a): Compliance Certification

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



- 41 6 NYCRR 201-6.1 (a): Compliance Certification
- 42 6 NYCRR 201-6.1 (a): Compliance Certification
- 43 40CFR 60, NSPS Subpart GG: Compliance Certification
- 44 40CFR 60, NSPS Subpart GG: Compliance Certification
- 45 40CFR 75.19, Subpart B: Compliance Certification

**EU=0-00001,Proc=CTO**

- 46 6 NYCRR 201-6.1 (a): Compliance Certification
- 47 6 NYCRR 201-6.1 (a): Compliance Certification
- 48 6 NYCRR 201-6.1 (a): Compliance Certification
- 49 6 NYCRR 227-1.3 (a): Compliance Certification
- 50 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=0-00003,Proc=OIL**

- 51 6 NYCRR 227-1.3 (a): Compliance Certification
- 52 6 NYCRR 227.2 (b) (1): Compliance Certification
- 53 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Certification
- 54 40CFR 63.11201(b), Subpart JJJJJ: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 55 ECL 19-0301: Contaminant List
- 56 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 57 6 NYCRR 211.2: Visible Emissions Limited
- 58 6 NYCRR Part 242: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

**Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**

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

**Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**

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

**Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**

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

**Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and



reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**

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

**Item G: Property Rights - 6 NYCRR 201-6.4 (a) (6)**

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

**Item H: Severability - 6 NYCRR 201-6.4 (a) (9)**

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

**Item I: Permit Shield - 6 NYCRR 201-6.4 (g)**

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

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



facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

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

**Item J: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

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

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

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

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

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

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



a shorter time period in the case of an emergency.

**Item K: 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 L: Federally Enforceable Requirements - 40 CFR 70.6 (b)**

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

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

**Condition 1: Acceptable Ambient Air Quality  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 200.6**

**Item 1.1:**

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



emission control required.

**Condition 2: Fees**  
**Effective for entire length of Permit**

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

**Item 2.1:**

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

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (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 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (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 for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (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 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate



whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent 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) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (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 annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent 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) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section  
USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
NYSDEC Region 7 Headquarters  
615 Erie Boulevard, West  
Syracuse, NY 13204-2400

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway





or permit the burning of any materials in an open fire.

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**







**Item 17.1:**

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

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

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

**Condition 18: Required Emissions Tests  
Effective for entire length of Permit**

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

**Item 18.1:**

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

**Condition 19: Accidental release provisions.  
Effective for entire length of Permit**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 19.1:**

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,

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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 20:     Recycling and Emissions Reduction**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 20.1:**

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

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

**Condition 21:     Emission Unit Definition**  
**Effective for entire length of Permit**

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

**Item 21.1:**

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 ELECTRICITY GENERATION. COMBUSTION GAS TURBINE IS FUELED BY NATURAL GAS. DURING PERIODS OF NATURAL GAS CURTAILMENT, THE COMBUSTION GAS TURBINE MAY BE 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.

The Cross State Air Pollution Rule became effective January 1, 2015. This rule supercedes the CAIR rules (6 NYCRR 243, 244 and 245). The facility must comply with CSAPR, found at 40 CFR Part 97, Subparts AAAAA,BBBBB, CCCCC, and DDDDD.



Building(s): MAIN

**Item 21.2:**

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

Emission Unit: 0-00003

Emission Unit Description:

Auxiliary boiler is used to provide steam. The auxiliary boiler may be started up when the combustion gas turbine is being shut down. With the exception of start-up and shutdown operations, the auxiliary boiler will not be operated while the combustion gas turbine is being operated. The emissions generated by the auxiliary boiler will be directed to emission point 00002.

Building(s): MAIN

**Condition 22: Compliance Certification  
Effective for entire length of Permit**

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

**Item 22.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 22.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility may burn fuel oil in either the gas turbine or the auxiliary boiler.

The owner or operator shall not combust fuel oil containing sulfur in excess of 0.1 percent by weight sulfur. Compliance shall be determined using fuel sampling and analysis, conducted either by the vendor or by the facility owner or operator, or through vendor receipts as described elsewhere in this permit. Fuel samples must be obtained and analyzed for each delivery. It is not necessary to sample each delivery truck; each source (storage tank) from which oil is delivered to the facility must be sampled.

The owner shall maintain records of fuel analyses for each delivery for a period of five years.

On an annual basis, the owners or operators shall submit to the DEC a report stating whether any oil was received,

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



and whether any analysis showed sulfur content to be in excess of 0.1 weight percent sulfur. If the facility combusts any oil with a sulfur content in excess of 0.1 weight percent, the owner or operator shall submit to the DEC a report of such excess emissions within 30 days of the excess emission.

Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.1 percent by weight  
Monitoring Frequency: PER DELIVERY  
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.  
Subsequent reports are due every 12 calendar month(s).

**Condition 23: Progress Reports Due Semiannually  
Effective for entire length of Permit**

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

**Item 23.1:**

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

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

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

**Condition 24: Facility Permissible Emissions  
Effective for entire length of Permit**

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

**Item 24.1:**

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 25: Capping Monitoring Condition  
Effective for entire length of Permit**



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

**Item 25.1:**

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

6 NYCRR Subpart 201-6

6 NYCRR Subpart 231-2

**Item 25.2:**

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

**Item 25.3:**

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

**Item 25.4:**

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

**Item 25.5:**

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

**Item 25.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 0-00001

Emission Unit: 0-00003

Regulated Contaminant(s):

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

**Item 25.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



**Monitoring Description:**

Facility-wide emissions of NO<sub>x</sub> shall not exceed 95 tons/year for each 12 calendar month rolling period.

Emissions from the stationary gas turbine and aux boiler 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<sub>x</sub> 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.

Manufacturer Name/Model Number: Part 75 CEM

Upper Permit Limit: 95 tons per year

Reference Test Method: Part 60 Appendix B and F CEMs

Monitoring Frequency: CONTINUOUS

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 26: Capping Monitoring Condition  
Effective for entire length of Permit**

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

**Item 26.1:**

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

6 NYCRR Subpart 201-6

**Item 26.2:**

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

**Item 26.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 26.4:**

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

**Item 26.5:**

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

**Item 26.6:**

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

Emission Unit: 0-00001

Emission Unit: 0-00003

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

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 and the aux boiler 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

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



days of such occurrence.

Manufacturer Name/Model Number: Part 60 CEM  
Upper Permit Limit: 95 tons per year  
Reference Test Method: Part 60 Appendix B and F CEMs  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 12 calendar month(s).

**Condition 27: Air pollution prohibited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 27.1:**

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

**Condition 28: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 225-1.2**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires distillate oil are limited to the purchase of distillate oil with a sulfur content of 0.0015% sulfur on or after July 1, 2014 and to firing of distillate oil with a sulfur content of 0.0015% sulfur on or after July 1, 2016.

Compliance shall be determined using vendor certified receipts for each lot or delivery.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.0015 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 29: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. Except as provided under paragraph (2) of this condition, the owner or operator shall record and maintain records of the amount of each fuel combusted during each operating day in the heat recovery steam generator and in the auxiliary boiler.
2. As an alternative to meeting the requirements of paragraph paragraph (1) of this condition, the owner or operator of an affected facility that combusts only natural gas and/or fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



**Condition 30: Good air pollution control practices  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.11205(a), Subpart JJJJJJ**

**Item 30.1:**

This Condition applies to:

Emission Unit: 000003

Process: OIL

Emission Source: AUXBO

**Item 30.2:**

At all times the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**Condition 31: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.11225(a), Subpart JJJJJJ**

**Item 31.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 0-00003

Process: OIL

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must submit the notifications specified in 40 CFR 63 Subpart JJJJJJ to the DEC and the EPA administrator.

The owner or operator must submit the Notification of Compliance Status no later than 120 days after the applicable compliance date specified in 40 CFR 63.11196. The owner or operator must submit the Notification of Compliance Status in accordance with paragraph (a)(4)(i)



and (vi) of 40 CFR 63.11225. The Notification Status must include the information and certification of compliance in paragraphs (a)(4)(i) through (v) of 40 CFR 63.11225, as applicable, and signed by a responsible official.

(i) The owner or operator must submit the information required in 40 CFR 63.9(h)(2), except the information listed in 40 CFR 63.9(h)(2)(i)(B), (D), (E) and (f).

(ii) "This facility complies with the requirements in § 63.11214 to conduct an initial tune-up of the boiler."

(iii) "This facility has had an energy assessment performed according to § 63.11214(c)."

(iv) "No secondary materials that are solid waste were combusted in any affected unit."

(v) The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). However, if the reporting form specific to 40 CFR Part 63, Subpart JJJJJ is not available in CEDRI at the time the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 32: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.11225(c), Subpart JJJJJ**

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must maintain the records specified as follows:

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



(1) As required in 40 CFR 63.10(b)(2)(xiv), the owner or operator must keep a copy of each notification and report that he/she submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status that he/she submitted.

(2) The owner or operator must keep records to document conformance with the work practices, emission reduction measures, and management practices required by 40 CFR 63.11214 and 63.11223 as specified in 40 CFR 63.11225(c)(2)(i) through (vi), below.

(i) Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.

(ii) For each boiler required to conduct an energy assessment, you must keep a copy of the energy assessment report.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 33: Form of records  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.11225(d), Subpart JJJJJ**

**Item 33.1:**

The owner's or operator's records must be in a form suitable and readily available for expeditious review. The owner or operator must keep each record for 5 years following the date of each recorded action. The owner or operator must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. The owner or operator may keep the records off site for the remaining 3 years.

**Condition 34: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 97.406, Subpart AAAAA**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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



**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418 of Subpart AAAAA. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.

(2) The facility, and the designated representative, of each TR NOx Annual source (facility) and each TR NOx Annual Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435 of Subpart AAAAA and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.

(3) The emissions data determined shall be used to calculate allocations of TR NOx Annual allowances and to determine compliance with the TR NOx Annual emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NOx Annual facility and each TR NOx Annual Unit at the facility shall hold, in the facilities compliance account, TR NOx Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NOx emissions for such control period from all TR NOx Annual Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**Condition 35: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 97.506, Subpart BBBBB**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.513 through 97.518 of Subpart BBBBB. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.
- (2) The facility, and the designated representative, of each TR NOx Ozone Season source (facility) and each TR NOx Ozone Season Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.530 through 97.535 of Subpart BBBBB and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.
- (3) The emissions data determined shall be used to calculate allocations of TR NOx Ozone Season allowances and to determine compliance with the TR NOx Ozone Season emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NOx Ozone Season facility and each TR NOx Ozone Season Unit at the



facility shall hold, in the facilities compliance account, TR NOx Ozone Season allowances available for deduction for such control period under §97.524(a) in an amount not less than the tons of total NOx emissions for such control period from all TR NOx Ozone Season Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 36: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 97.606, Subpart CCCCC**

**Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.613 through 97.618 of Subpart CCCCC. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.

(2) The facility, and the designated representative, of each TR SO2 Group 1 source (facility) and each TR SO2 Group 1 Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.630 through 97.635 of Subpart CCCCC and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



reports are due on January 30th and July 30th of each year.

(3) The emissions data determined shall be used to calculate allocations of TR SO<sub>2</sub> Group 1 allowances and to determine compliance with the TR SO<sub>2</sub> Group 1 emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO<sub>2</sub> Group 1 facility and each TR SO<sub>2</sub> Group 1 Unit at the facility shall hold, in the facilities compliance account, TR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all TR SO<sub>2</sub> Group 1 Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 37: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 37.1:**

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.): 4662.103 NYTME (km.): 423.298

**Item 37.2:**

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.): 4662.113 NYTME (km.): 423.305

**Condition 38: Process Definition By Emission Unit  
Effective for entire length of Permit**

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



**Item 38.1:**

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 38.2:**

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 38.3:**

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 fuel oil) operated for the purpose of providing steam and electricity generation. The gas turbine is fired with fuel oil during periods of natural gas curtailment.

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

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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

**Item 38.4:**

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 38.5:**

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 FUEL OIL 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 39: Compliance Certification  
Effective for entire length of Permit**

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

**Item 39.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

**Item 39.2:**

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<sub>x</sub> 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.

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

**Condition 40: Compliance Certification**  
**Effective for entire length of Permit**



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

**Item 40.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

**Item 40.2:**

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

**Condition 41: Compliance Certification  
Effective for entire length of Permit**

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

**Item 41.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

**Item 41.2:**

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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.

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

**Condition 42: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 42.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

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

**Item 42.2:**

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% O<sub>2</sub>, for each one clock hour period. Emissions shall be monitored using a continuous

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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% O<sub>2</sub>)  
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.  
Subsequent reports are due every 3 calendar month(s).

**Condition 43: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 43.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

**Item 43.2:**

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 burn any fuel which contains sulfur in excess of 0.8 weight percent.

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 Part 60.334(i), for fuel oil sampling frequency, the owner and operator is required to use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to 40 CFR Part



75.

Natural gas is not required to be sampled.

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 daily period during which the sulfur 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.

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

**Condition 44: Compliance Certification  
Effective for entire length of Permit**

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

**Item 44.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

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

**Item 44.2:**

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<sub>x</sub> and O<sub>2</sub> 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% O<sub>2</sub>)

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.

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





**Effective for entire length of Permit**

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

**Item 46.1:**

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 46.2:**

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% O<sub>2</sub>)  
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.  
Subsequent reports are due every 3 calendar month(s).

**Condition 47: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 47.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001  
Process: CTO

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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

**Item 47.2:**

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 (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 48: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 48.1:**

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 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies to stack emissions while

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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

**Condition 49: Compliance Certification  
Effective for entire length of Permit**

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

**Item 49.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001  
Process: CTO

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

**Item 49.2:**

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.

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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

**Condition 50: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00001  
Process: CTO

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

**Item 50.2:**

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.

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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 51: Compliance Certification  
Effective for entire length of Permit**

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

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00003

Process: OIL

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 51.2:**

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

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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

**Condition 52: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 52.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 0-00003  
Process: OIL

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

**Item 52.2:**  
Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



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 53: Compliance Certification  
Effective for entire length of Permit**

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

**Item 53.1:**

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 53.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

1. 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 SO<sub>2</sub> 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.

2. The owner or operator shall keep records and submit reports as required under 40 CFR Part 60, Subpart Dc, including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

(2) If fuel supplier certification is used to demonstrate compliance,

(i) The name of the oil supplier;

(ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in § 60.41c; and





Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. Biennial or five year tune up: pursuant to 40 CFR § 63.11205(a), the owner or operator must conduct a tune-up of the auxiliary boiler biennially as specified in § 63.11223 unless the boiler is equipped with an O<sub>2</sub> trim system that maintains an optimum air-to-fuel ratio, in which case a tune up is required every five years. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. For a new or reconstructed boiler, the first biennial tune-up must be no later than 25 months after the initial startup of the new or reconstructed boiler.

Each 5-year tune-up must be conducted no more than 61 months after the previous tune-up. For a new or reconstructed boiler with an oxygen trim system, the first 5-year tune-up must be no later than 61 months after the initial startup. The owner or operator may delay the burner inspection specified in 40 CFR § 63.11205(b)(1) and inspection of the system controlling the air-to-fuel ratio specified in paragraph 40 CFR § 63.11205(b)(3) until the next scheduled unit shutdown, but the owner or operator must inspect each burner and system controlling the air-to-fuel ratio at least once every 72 months.

2. The facility must prepare, by March 1 of each year, and submit to the delegated authority upon request, an annual compliance certification report for the previous calendar year containing the information specified below. For boilers that are subject only to a requirement to conduct a biennial or 5-year tune-up according to 40 CFR §63.11223(a) and not subject to emission limits or operating limits, you may prepare only a biennial or 5-year compliance report as specified in paragraphs (1) and (2) below.

(1) Company name and address.

(2) Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) "This facility complies with the requirements in §63.11223 to conduct a biennial or 5-year tune-up, as



applicable, of each boiler.”

(ii) “This facility complies with the requirement in §§63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available.”

(iii) "This facility complies with the requirement in 40 CFR 63.11214(d) and 40 CFR 63.11223(a) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if the boiler's manufacturer's procedures are unavailable.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 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: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

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

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

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

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

**Item B: 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 55: Contaminant List**  
**Effective for entire length of Permit**

**Applicable State Requirement:ECL 19-0301**

**Item 55.1:**

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 56: Malfunctions and start-up/shutdown activities**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 56.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the



emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

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

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

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

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

**Condition 57: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 57.1:**

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

**Condition 58: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR Part 242**

**Item 58.1:**



The Compliance Demonstration activity will be performed for the Facility.

**Item 58.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. As of midnight, March 1 or, if that March 1 is not a business day, midnight of the first business day thereafter, the owners or operators shall hold (in the compliance account) CO2 allowances available for compliance deduction in an amount not less than the total CO2 emissions for the Control Period as such term is defined in 6 NYCRR 242-1.2(b)(40) for all CO2 budget units at the source.
2. CO2 allowances shall not be deducted, in order to comply with 6 242-1.5(c)(1), for a Control Period that ends prior to the allocation year for which the CO2 allowance was allocated.
3. The owner or operator of a CO2 budget source that has excess emissions in any Control Period shall forfeit the CO2 allowances required for deduction under 6 NYCRR 242-6.5(d)(1), provided CO2 offset allowances may not be used to cover any part of such excess emissions; and pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR 242-6.5(d)(2).
4. Each CO2 budget source shall have only one authorized account representative and may have one alternate CO2 authorized account representative as specified in 6 NYCRR 242-2. Each submission under the CO2 Budget Trading Program shall be submitted, signed, and certified by the CO2 authorized account representative (or alternate AAR) and include the following statement: "I am authorized to make this submission on behalf of the owners and operators of the CO2 budget sources or CO2 budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
5. A CO2 authorized account representative (or his or her alternate) may delegate, to one or more natural persons,



his or her authority to make an electronic submission to the department or its agent. In order to delegate authority to make an electronic submission, the CO2 authorized account representative (or alternate) must submit to the department a notice of delegation as specified in 6 NYCRR 242-2.6.

6. For each control period to which a CO2 budget source is subject to the CO2 requirements of 6 NYCRR 242-1.5, the CO2 authorized account representative (or alternate) shall submit to the DEC, by March 1 following the relevant Control Period, a compliance certification report. The report shall be in a format prescribed by the department and include

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

ii) at the CO2 authorized account representative's (or alternate's) option, the serial numbers of the CO2 allowances to be deducted; and

iii) the compliance certification of 6 NYCRR 242-4.1(c).

7. No owner or operator of a CO2 budget unit shall operate the unit so as to discharge, or allow to be discharged, CO2 emissions to the atmosphere without accounting for all such emissions in accordance with 6 NYCRR 242 and 40 CFR Part 75.

8. The owners and operators and, to the extent applicable, the CO2 authorized account representative (or alternate) of a CO2 budget unit shall comply with the monitoring, recordkeeping and reporting requirements as provided in 6 NYCRR 242; and 40 CFR Part 75. The owner or operator of each CO2 budget unit must install all monitoring systems necessary to monitor CO2 mass emissions in accordance with 40 CFR Part 75, except for equation G1. Equation G1 in appendix G shall not be used to determine CO2 emissions under 6 NYCRR 242. The owners or operators must successfully complete all certification tests required under 6 NYCRR 242-8.2 and 40 CFR Part 75 and record, report and quality-assure the data from the monitoring systems.

9. No owner or operator of a CO2 budget unit shall use any alternative monitoring system, alternative reference method or any other alternative for the required continuous emission monitoring system without obtaining prior written approval.

**New York State Department of Environmental Conservation**

Permit ID: 7-0302-00079/00009

Facility DEC ID: 7030200079



10. No owner or operator of a CO2 budget unit shall disrupt the continuous emission monitoring system except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of 6 NYCRR 242 and 40 CFR Part 75.

11. The CO2 authorized account representative shall submit quarterly reports to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in Subpart H of 40 CFR Part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO2 budget unit (or groups of units using a common stack) and shall include all of the data and information required in subpart G of 40 CFR Part 75 except for opacity, NOx and SO2 provisions. Each quarterly report shall contain the certification required in 6 NYCRR 242-8.5(d)(3).

12. On a calendar year annual basis the owner or operator shall submit to the DEC a report stating whether he or she has complied with this condition.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION