PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 7-0346-00045/00006
Effective Date: 11/23/2010 Expiration Date: 11/22/2015

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 7-0346-00045/00013
Effective Date: 11/23/2010 Expiration Date: 11/22/2015

Permit Issued To:AES WESTOVER LLC
720 RIVERSIDE DR
JOHNSON CITY, NY 13790-1839

Contact: ANDREW M CHADWICK
AES WESTOVER
720 RIVERSIDE DR
JOHNSON CITY, NY 13790-1839
(607) 729-6950

Facility: AES WESTOVER
720 RIVERSIDE DR
JOHNSON CITY, NY 13790-1839

Description:
This permit is a renewal of the facility's Title V operating permit and Title IV Acid Rain Permit.

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: JOANNE L MARCH
DIVISION OF ENVIRONMENTAL PERMITS
615 ERIE BLVD WEST
SYRACUSE, NY 13204-2400

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
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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

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

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

Item 4.1:
The Department reserves the right to 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.

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 5.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

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

Item 6.1:
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:AES WESTOVER LLC
720 RIVERSIDE DR
JOHNSON CITY, NY 13790-1839

Facility: AES WESTOVER
720 RIVERSIDE DR
JOHNSON CITY, NY 13790-1839

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES

Permit Effective Date: 11/23/2010 Permit Expiration Date: 11/22/2015

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

1 6 NYCRR Subpart 243-1: NOx Ozone Season Budget
2 6 NYCRR 200.6: Acceptable Ambient Air Quality
3 6 NYCRR 201-6.5 (a) (7): Fees
4 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
5 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
6 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
7 6 NYCRR 201-6.5 (e): Compliance Certification
8 6 NYCRR 202-2.1: Compliance Certification
9 6 NYCRR 202-2.5: Recordkeeping requirements
10 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
11 6 NYCRR 215.2: Open Fires - Prohibitions
12 6 NYCRR 200.7: Maintenance of Equipment
13 6 NYCRR 201-1.7: Recycling and Salvage
14 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
15 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
16 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
17 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
18 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
19 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
20 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
21 6 NYCRR 202-1.1: Required Emissions Tests
22 6 NYCRR 211.3: Visible Emissions Limited
23 40 CFR Part 68: Accidental release provisions.
24 40CFR 82, Subpart F: Recycling and Emissions Reduction
25 6 NYCRR Subpart 201-6: Emission Unit Definition
26 6 NYCRR 201-6.5 (c) (3): Compliance Certification
27 6 NYCRR 225-1.7 (c): Compliance Certification
28 6 NYCRR Subpart 243-2: CAIR Representative
29 6 NYCRR Subpart 243-8: Monitoring and reporting NOx emissions
30 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
31 6 NYCRR Subpart 244-2: Designated CAIR Representative
32 6 NYCRR Subpart 244-8: Compliance Certification
33 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
34 6 NYCRR Subpart 245-2: Designated CAIR Representative
35 6 NYCRR Subpart 245-8: Compliance Certification
36 40 CFR Part 64: 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=W-00003

39 40CFR 52.21, Subpart A: Compliance Certification
40 40CFR 52.21, Subpart A: Compliance Certification
41 40CFR 52.21, Subpart A: Compliance Certification
42 40CFR 52.21, Subpart A: Compliance Certification

EU=W-00003,Proc=P31,ES=B0013
43 40CFR 72.6(a)(2), Subpart A: Phase II Applicability Condition

EU=W-00003,EP=00001

44 6 NYCRR 225-2.3 (b) (1) (ii): Compliance Certification
45 6 NYCRR 227-1.2 (a) (1): Compliance Certification
46 6 NYCRR 227-1.2 (a) (4): Compliance Certification
47 6 NYCRR 227-1.3: Compliance Certification
48 6 NYCRR 227-1.4 (b): Compliance Certification

EU=W-00006
49 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level
50 ECL 19-0301: Contaminant List
51 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
52 6 NYCRR 211.2: Air pollution prohibited
53 6 NYCRR Subpart 242-8: Compliance Demonstration
54 6 NYCRR Part 242: Compliance Demonstration
55 6 NYCRR Part 246: Compliance Demonstration
Emission Unit Level

EU=W-00003
56 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration
57 6 NYCRR 227-2.5 (b): Compliance Demonstration

EU=W-00006
58 6 NYCRR 227-2.4 (d): Compliance Demonstration

FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: **Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: **Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: **Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

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

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

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

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

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

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

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

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

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

Item L: **Permit Exclusion - ECL 19-0305**

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

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

Item M: **Federally Enforceable Requirements - 40 CFR 70.6 (b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

Condition 1: **NOx Ozone Season Budget**
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 243-1

Item 1.1:

1) As of midnight of November 30, or midnight of the first business day thereafter if November 30 is not a business day, the owners and operators shall hold, in their compliance account, CAIR NOx ozone season allowances available for compliance deductions for the previous control period (May 1 through September 30), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx ozone season units at the source during that control period.

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

(3) 'Excess emissions requirements.' If a CAIR NOx ozone season source emits nitrogen oxides during any control period in excess of the CAIR NOx ozone season emissions limitation, the owners and operators of the source and each CAIR NOx ozone season unit at the source shall surrender the CAIR NOx ozone season allowances required for deduction under 6NYCRR Part 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law.

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

(i) The certificate of representation under 6NYCRR Part 243-2.4 for the CAIR NOx ozone sesason designated representative for the source and all documents that demonstrate the truth of

the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 243-2.4 changing the CAIR NOx ozone season designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 234-8, provided that to the extent that 6NYCRR Part 243-8 provides for a three year period for recordkeeping, the three year period shall apply.

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

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

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 2: Acceptable Ambient Air Quality
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 200.6

Item 2.1:
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 3: Fees
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 3.1:

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 4: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 4.1:
The following information must be included in any required compliance monitoring records and reports:

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

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

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

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

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

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

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

Condition 5: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 5.1:
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 6: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

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

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:

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

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

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

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

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

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

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

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

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above

referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 7: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

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

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

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Compliance certifications shall contain the following information:
- 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.

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.

All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office

and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

615 Erie Boulevard, West
Syracuse, NY 13204-2400

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due on the same day each year

Condition 8: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 8.1:
The Compliance Certification activity will be performed for the Facility.

Item 8.2:
Compliance Certification shall include the following monitoring:

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

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

Condition 9: Recordkeeping requirements

Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 9.1:
(a) The following records shall be maintained for at least five years:

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

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

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

Condition 10: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Part 215

Item 10.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Condition 11: Open Fires - Prohibitions
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 215.2

Item 11.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 11.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only

untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

Condition 12: Maintenance of Equipment
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 200.7

Item 12.1:
Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 13: Recycling and Salvage
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 13.1:

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

Condition 14: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 14.1:
No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Condition 15: Exempt Sources - Proof of Eligibility
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 15.1:
The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 16: Trivial Sources - Proof of Eligibility
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 16.1:
The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 17: Standard Requirement - Provide Information
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 17.1:
The owner and/or operator shall furnish to the department, within a reasonable time, any

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

Condition 18: General Condition - Right to Inspect
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 18.1:
The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

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

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

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

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

Condition 19: Standard Requirements - Progress Reports
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 19.1:
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 20: Off Permit Changes
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 20.1:

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

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

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

Condition 21: Required Emissions Tests
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 21.1:
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 22: Visible Emissions Limited
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 211.3

Item 22.1:
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 23: Accidental release provisions.
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40 CFR Part 68

Item 23.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

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

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

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

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

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

Condition 24: Recycling and Emissions Reduction
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40CFR 82, Subpart F

Item 24.1:
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 25: Emission Unit Definition
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 25.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: W-00003
Emission Unit Description:
AES WESTOVER STATION IS AN ELECTRIC GENERATION STATION CONSISTING OF ONE GENERATOR UNIT. THIS EMISSION UNIT CONSISTS OF BOILER 13 AND THE ASSOCIATED EMISSIONS CONROL EQUIPMENT.

THE FOLLOWING IDENTIFIERS WILL BE USED IN RELATION TO THIS EMISSION UNIT: AES WESTOVER STACK, EMISSION UNIT W00003; AES WESTOVER STACK, EMISSION POINT 00001; BOILER 13, EMISSION SOURCE B0013; BAGHOUSE, EMISSION SOURCE BAG13; BURNING BITUMINOUS

COAL, PROCESS P31; BURNING NO 2 FUEL OIL, PROCESS P32; BURNING WASTE OIL, PROCESS P33: STEAM FOR UNIT 8 IS SUPPLIED BY EMISSION SOURCE B0013. THE STATION ALSO SUPPLIES STEAM TO A NEIGHBORING MANUFACTURING FACILITY.

EMISSION SOURCE B0013 IS A COMBUSTION ENGINEERING DRY BOTTOM, TANGENTIALLY FIRED BOILER DESIGN RATED AT 875 MMBTU/HR MAXIUMUM HEAT INPUT. EMISSION SOURCE B0013 BURNS BITUMINOUS COAL AS ITS PRIMARY FUEL WITH NO 2 OR DIESEL FUEL OIL USED FOR START UP AND FLAME STABILIZATION. WASTE OIL IS ALSO PERMITTED TO BE COMBUSTED. EMISSION SOURCE B0013 IS EQUIPPED WITH A FABRIC FILTER TO CONTROL PARTICULATE MATTER EMISSIONS. SULFUR DIOXIDE EMISSIONS ARE CONTROLLED BY A DRY FLUE GAS DESULFURIZATION SYSTEM. NITROGEN OXIDES EMISSIONS ARE CONTROLLED THROUGH LOW-NOX BURNERS OVERFIRE AIR AND AN SCR.

Building(s): BOILER

Item 25.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: W-00004
Emission Unit Description:
Emission Unit W00004 consists of all coal handling activities at the facility.
Coal is delivered by rail and truck. Coal delivered by rail is dumped from the bottom of the cars into hoppers below the tracks. Coal is discharged to the coal pile via an apron conveyor system and is pushed to the reclaim hopper by bulldozer. Coal delivered by truck is dumped directly on the coal storage pile. The reclaim hopper discharges coal to an apron conveyor which delivers coal to the boiler/turbine building for delivery to the bunkers for Boiler 13.

All outside conveyors are enclosed for dust control.

Item 25.3:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: W-00005
Emission Unit Description:
THE FLYASH HANDLING SYSTEM REMOVES FLYASH FROM BOILER 13.
Ash is conveyed pneumatically from the hoppers on the baghouse to a storage silo. The flyash is emptied from the silo into trucks and transported to a mine reclamation

site o licensed facility.
Bottom ash is collected in ash hoppers where it is flushed and sent to a slurry tank. Bottom ash is then de-watered and dumped in to transport vehicles. The bottom ash is used for traction by local towns.

Item 25.4:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: W-00006
Emission Unit Description:
This emission unit is a Cleaver Brooks package boiler. It fires only natural gas and has a maximum heat input of 32.7 million BTU/hr. It will be used to supply building heat and steam when the main boilers are not operating.

Building(s): BOILER

Condition 26: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

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

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

Item 26.2:
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.

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

In the case of any emission testing performed during the previous six month reporting period, either due to a

request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 27: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 225-1.7 (c)

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

Item 27.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Part 225-1.7(c) requires that measurements must be made daily of the rate of each fuel burned. Also, the facility must measure the gross heat content and ash content of the fuel burned (determined at least once per week), and the average electrical output (daily) and hourly generation rate. This information must be retained by the source owner for a period of three years.

On a semi-annual basis, the owner or operator shall state, in its certification report, whether the required measurements were made.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 28: CAIR Representative
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 243-2

Item 28.1:

1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 243-2.2, with regard to all matters under the CAIR NOx Ozone Season Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 243-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx Ozone Season source represented in all matters pertaining to the CAIR NOx Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [243-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [243-2.1(e)]

Condition 29: Monitoring and reporting NOx emissions
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 243-8

Item 29.1:

Monitoring and Reporting NOx emissions

(1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 243-2.1(e)(1).

(2) The CAIR designated representative shall submit quarterly reports

of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter covering January 1, 2008 through March 31, 2008.

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

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

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

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 243 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

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

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [243-8.3(a)]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 243-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control

requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 243-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6).

Condition 30: CAIR NOx Annual Trading Program General Conditions
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 30.1:
1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NOx allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

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

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

4) Unless otherwise provided, the owners and operators of the CAIR NOx source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]
(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site

at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

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

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

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

Condition 31: Designated CAIR Representative
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 31.1:
1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

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

Condition 32: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 32.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring and Reporting NOX emissions

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

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

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

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

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based

on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

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

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

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 33: CAIR SO2 Trading Program General Provisions
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 33.1:
1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source. A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO2 allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO2 unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO2 source emits sulfur dioxide during any control period in excess of the CAIR SO2 emissions limitation, the owners and operators of the source shall surrender the CAIR SO2 allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO2 source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]
(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.
(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO2 Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO2 Trading Program or to demonstrate compliance with the requirements of the CAIR SO2 Trading Program.

Condition 34: Designated CAIR Representative
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 245-2

Item 34.1:
1) Each CAIR SO2 source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO2 Trading Program. The CAIR designated representative of the CAIR SO2 source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO2 units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO2 source represented and each CAIR SO2 unit at the source in all matters pertaining to the CAIR SO2 Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO2 Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO2 source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [245-2.1(e)]

Condition 35: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 245-8

Item 35.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 35.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Monitoring and Reporting SO2 emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO2 unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO2 unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO2 unit. [245-8.1]

2)The owner or operator of each CAIR SO2 unit shall: [245-8.1(a)]
(i) install all monitoring systems required under this Subpart for monitoring SO2 mass emissions and individual unit heat input (including all systems required to monitor SO2 concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);
(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and
(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates. [245-8.1(b)]
(i) For the CAIR SO2 unit that commences commercial operation before July 1, 2008, by January 1, 2009.
(ii) For the CAIR SO2 unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating

days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO2 mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

5) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D of or appendix D to 40 CFR Part 75. [245-8.3(a)]

6) The CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 245-8.3, the applicable recordkeeping and reporting requirements in Subparts F and G of 40 CFR Part 75, and the requirements of section 245-2.1(e)(1). [245-8.5(a)]

7) The owner or operator of a CAIR SO2 unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

8) The CAIR designated representative shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 245-8.2, including the information required under 40 CFR 75.63. [245-8.5(c)

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9) The CAIR designated representative shall submit quarterly reports of the SO2 mass emissions data and heat input data for each CAIR SO2 unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or

ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.

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

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

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

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

ii) for a unit with add-on SO2 emission controls and for all hours where SO2 data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the

quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO2 emissions.

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 36: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40 CFR Part 64

Item 36.1:
The Compliance Certification activity will be performed for the Facility.

Item 36.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
This condition implements the requirements of 40 CFR 64.6.

(1) AES Westover shall monitor fabric filter performance by monitoring opacity and also monitoring each baghouse section with a particulate detection (Triboelectric effect) device.

(2) The indicator range for opacity shall be 20 % on a six minute average.

(3) The indicator range for each particulate detection device shall be 50% of full range. This range may be changed based on operating experience and with the approval of the DEC.

(4) Indicator ranges may be adjusted based on the results of particulate testing or if the ranges fail to provide for reasonable assurances of compliance with the particulate limit.

(5) Prior to conducting any tests, the COMs shall be audited.

(6) Within 120 days of the effective date of this permit, AES Westover shall submit to the DEC procedures to insure that the particulate detection devices are operating

properly, including periodic quality control and quality assurance testing.

(7) The opacity monitor shall meet the performance criteria of 40 CFR Part 60, Appendix B, PS 1.

(8) On a calendar quarter basis, the owner or operator shall submit to the DEC a report stating all periods where the levels of opacity and, if applicable, the particulate detection devices' operating parameters exceeded the levels established and approved by the DEC in Items (2) through (4) above. For each such period, the owner or operator shall state the time the excursion commenced; the time the excursion ceased; the cause of the excursion; and the corrective action taken to resolve the excursion.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR Part 60, Appendix B, PS 1
Monitoring Frequency: CONTINUOUS
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2011.
Subsequent reports are due every 3 calendar month(s).

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

Condition 37: Emission Point Definition By Emission Unit
Effective between the dates of 11/23/2010 and 11/22/2015

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: W-00003

Emission Point: 00001
Height (ft.): 265 Diameter (in.): 180
NYTMN (km.): 4662.637 NYTME (km.): 419.491 Building: BOILER

Item 37.2:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: W-00006

Emission Point: 00006
Height (ft.): 65 Diameter (in.): 24

NYTMN (km.): 4662.63 NYTME (km.): 419.43

Condition 38: Process Definition By Emission Unit
Effective between the dates of 11/23/2010 and 11/22/2015

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: W-00003
Process: P31 Source Classification Code: 1-01-002-02
Process Description:
EMISSION SOURCE B0013 FIRES PULVERIZED BITUMINOUS COAL AS ITS PRIMARY FUEL (0-100% BY WEIGHT OF TOTAL FUEL ENTERING THE BOILER). PARTICULATE MATTER EMISSIONS ARE CONTROLLED BY THE USE OF A FABRIC FILTER AND MEASURED (WHEN REQUESTED BY DEC) AT EMISSION POINT 00001. SULFUR DIOXIDE EMISSIONS ARE CONTROLLED WITH A DRY FGD. NITROGEN OXIDES EMISSIONS ARE CONTROLLED WITH LOW-NOx BURNERS, OVERFIRE AIR AND AN SCR. NITROGEN OXIDE LIMITS ON A SYSTEM WIDE BASIS ARE ESTABLISHED IN AES NEW YORK'S NOX RACT COMPLIANCE PLAN.

Emission Source/Control: B0013 - Combustion
Design Capacity: 875 million Btu per hour

Emission Source/Control: BAG13 - Control
Control Type: FABRIC FILTER, DRY SPRAY ADSORPTION

Emission Source/Control: SCR13 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SDR13 - Control
Control Type: DRY SPRAY ABSORPTION

Item 38.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: W-00003
Process: P32 Source Classification Code: 1-01-005-01
Process Description:
EMISSION SOURCE B0013 FIRES NO 2 FUEL OIL, MAINLY AS A ASTARTUP AND FLAME STABILIZATION FUEL. THERE ARE NO SPECIFIC FUEL OIL CONTROLS FOR SULFUR DIOXIDE OR NITROGEN OXIDES EMISSIONS.

Emission Source/Control: B0013 - Combustion

Design Capacity: 875 million Btu per hour

Emission Source/Control: BAG13 - Control
Control Type: FABRIC FILTER, DRY SPRAY ADSORPTION

Item 38.3:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: W-00003
Process: P33 Source Classification Code: 1-01-013-02
Process Description:
EMISSION SOURCE B0013 IS PERMITTED TO FIRE WASTE OIL WHICH MUST BE COFIRED WITH COAL WHEN BURNED. THE EMISSION UNIT (PROCESSES P13, P23, AND P33 COMBINED) IS LIMITED TO BURNING WASTE OIL AT A MAXIMUM RATE OF 20 GALLONS PER MINUTE. THE PCB CONTENT IS LIMITED TO 2 PPM. ADDITIONAL PERMIT REQUIREMENTS FOR BURNING COMMERCIAL WASTE OIL ARE ATTACHED TO THIS PERMIT. THERE ARE NO SPECIFIC CONTROLS FOR SULFUR DIOXIDE OR NITROGEN OXIDES EMISSIONS.

Emission Source/Control: B0013 - Combustion
Design Capacity: 875 million Btu per hour

Emission Source/Control: BAG13 - Control
Control Type: FABRIC FILTER, DRY SPRAY ADSORPTION

Item 38.4:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: W-00004
Process: CHS Source Classification Code: 3-05-010-11
Process Description: Coal handling. All emissions are fugitive.

Emission Source/Control: CPILE - Process

Item 38.5:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: W-00005
Process: ASH Source Classification Code: 1-01-002-12
Process Description: Handling of flyash and bottom ash.

Emission Source/Control: SILO1 - Process

Item 38.6:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: W-00006
Process: GAS Source Classification Code: 1-02-006-02

Process Description:
Emission source B0AUX is a Cleaver Brooks package boiler that fires natural gas. There are no emission controls.

Emission Source/Control: B0AUX - Combustion
Design Capacity: 32.7 million British thermal units

Condition 39: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 39.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003

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

Item 39.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This condition implements a condition in a Consent Decree dated March 29, 2005.

1. Allowable Emissions shall be computed as follows:

i. For each clock hour in which Unit 8 generated above 50 MW gross for the entire clock hour, compute the hourly allowable NOx emissions (pounds of NOx) as the product of the allowable emission rate (0.15 lb/mmBtu or the final emission rate determined through the Good Faith Effort described below) and the actual heat input.

ii. For each clock hour in which Unit 8 generated above 35 MW gross for any part of the clock hour, but not in excess of 50 MW for the entire clock hour, compute the hourly allowable NOx emissions (pounds of NOx) as the product of the allowable emission rate (0.28 lb/mmBtu of the final rate as determined through the Good Faith Effort described below) and the actual heat input.

iii. For each clock hour in which Unit 8 generated at or below 35 MW gross for any part of the clock hour, compute the hourly allowable NOx emissions (pounds of NOx) as the product of the allowable emission rate (0.42 lb/mmBtu) and the actual heat input.

iv. For each 30-operating day period, sum all of the hourly allowable emissions in that 30-operating day period.

2. Actual emissions shall be computed as follows:

i. Compute the hourly actual NOx emissions (pounds of NOx) as the product of the actual emission rate (measured and recorded using CEMs) and the actual heat input. Emissions shall be monitored and recorded using a continuous emissions monitoring system. The CEMs shall be operated and maintained in accordance with 40 CFR Part 75, including required daily, quarterly and semi-annual or annual quality assurance checks. Bias-adjusted data are not required to be used to assess compliance with this condition.

ii. For each 30-operating day period, sum all of the hourly actual emissions in that 30-operating day period.

3. For each 30-operating day period, the actual NOx emissions in each 30-operating day period must not exceed the allowable NOx emissions in the same period.

4. Good Faith Effort: No later than 15 months after commencement of operation with the SCR, AES shall submit to the DEC a final proposed emission rate that will apply: (i) at loads above 50 MW gross, not to exceed 0.15 lb NOx/mmBtu, with a goal to achieve an emission rate of 0.10 lb NOx/mmBtu, and (ii) at loads above 35 MW but less than 50 MW gross.

On a calendar quarter basis, the owner or operator shall submit to the DEC a report of excess emissions. Such report shall state the date, magnitude, cause and corrective action of each period of excess emissions for that reporting period.

Manufacturer Name/Model Number: Teledyne M200EH or similar
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.15 pounds per million Btus
Reference Test Method: 40 CFR Part 75 CEMs
Monitoring Frequency: CONTINUOUS
Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 40: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 40.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003

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

Item 40.2:
Compliance Certification shall include the following monitoring:

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

This condition implements a requirement in a Consent Decree dated March 29, 2005.

1. This condition applies when Unit 8 is operating at 35 MW gross or less. For each operating hour, determine whether Unit 8 operated at or below 35 MW gross for any part of that hour. If Unit 8 operated at or below 35 MW gross for any portion of that hour, this condition is applicable.

2. Allowable Emission Rate

The allowable emission rate is 5.0 pounds SO2 per million Btu based on a one hour block average.

3. Actual emissions shall be measured and recorded using continuous emissions monitors that meet the quality assurance and quality control requirements of 40 CFR Part 75, Appendices A and B. The emissions, measured in parts per million dry basis, shall be converted to pounds per million Btu using the procedures and equations in 40 CFR Part 60, Appendix A, Method 19. The hourly average emission rate shall be computed, for each clock hour, as the average of the emission rates recorded during that one-hour period. Bias-adjusted data are not required to be used to assess compliance with this condition.

4. For each hourly period in which Unit 8 operated at 35 MW gross or less, for any portion of that hour, the hourly actual emission rate shall not exceed the allowable emission rate (5.0 pounds SO2 per million Btu) in the same period.

On a calendar quarter basis, the owner or operator shall submit to the DEC a report of excess emissions. Such report shall state the date, magnitude, cause and

corrective action of each period of excess emissions for that reporting period.

Manufacturer Name/Model Number: Teledyne M100EH or similar
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 5.0 pounds per million Btus
Reference Test Method: 40 CFR Part 60, Appendix A, Method 19
Monitoring Frequency: CONTINUOUS
Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 41: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 41.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003

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

Item 41.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This condition implements a condition in a Consent Decree dated March 29, 2005. This condition will be applicable beginning January 1, 2011.

1. This condition applies when Unit 8 is operating at greater than 35 MW gross. For each operating hour, determine whether Unit 8 operated at or below 35 MW gross for any part of that hour. If Unit 8 operated at or below 35 MW gross, this condition does not apply. If Unit 8 generated greater than 35 MW gross for the entire clock hour, this condition is applicable and the allowable emission concentration is either 0.17 lb SO2/mmBtu or the limit determined by the Good Faith Effort described below.

2. Allowable Emissions shall be computed as follows:

i. For each clock hour in which Unit 8 generated in

excess of 35 MW gross for the entire hour, compute the hourly allowable SO2 emissions (pounds of SO2) as the product of the allowable concentration (0.17 lb/mmBtu or the limit determined by the Good Faith Effort) and the actual heat input. The actual heat input shall be determined in accordance with 40 CFR Part 75.

ii. For each 30-operating day period, and for each clock hour in that 30-operating day period in which Unit 8 operated at greater than 35 MW gross for the entire hour, sum all of the hourly allowable emission rates in that 30-operating day period.

iii. As an alternative to 2(i - ii), for each 30-operating day period, and for each clock hour in that 30-operating day period in which Unit 8 operated at greater than 35 MW gross for the entire hour, sum all of the hourly actual heat input rates in that 30-operating day period and multiply that value by the allowable emission rate (0.17 lb SO2/mmBtu or the Good Faith Effort limit).

3. Actual emissions shall be computed as follows:

i. For each clock hour in which Unit 8 generated in excess of 35 MW gross for the entire hour, the hourly actual SO2 emissions (pounds of SO2) shall be measured and recorded using a continuous emissions monitoring system. The CEMs shall be operated and maintained in accordance with 40 CFR Part 75, including required daily, quarterly and semi-annual or annual quality assurance checks. Bias-adjusted data are not required to be used to assess compliance with this condition. Only valid data shall be used; periods of missing data shall not be substituted (as is allowed under Part 75).

ii. For each 30-operating day period, and for each clock hour in that 30-operating day period in which Unit 8 operated at greater than 35 MW gross for the entire hour, sum all of the hourly actual emissions in that 30-operating day period.

4. For each 30-operating day period, and for each clock hour in that 30-day operating period in which Unit 8 operated at greater than 35 MW gross for the entire hour, the sum of all hourly actual emissions in a 30-operating day period must not exceed the sum of all hourly allowable emissions in the same period.

5. Good Faith Effort

No later than March 31, 2011, AES shall submit to the DEC

a proposed final emission rate and supporting documentation. A final emission rate shall be based on DEC's acceptance of the proposal. In no case shall the final emission rate be in excess of 0.34 lb SO2/mmBtu on a 30 operating day rolling average.

On a calendar quarter basis, the owner or operator shall submit to the DEC a report of excess emissions. Such report shall state the date, magnitude, cause and corrective action of each period of excess emissions for that reporting period.

Manufacturer Name/Model Number: Teledyne M100EH or similar
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.17 pounds per million Btus
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 42: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 42.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003

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

Item 42.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This condition implements a condition in a Consent Decree dated March 29, 2005. This condition will be superseded on January 1, 2011.

1. This condition applies when Unit 8 is operating at greater than 35 MW gross. For each operating hour, determine whether Unit 8 operated at or below 35 MW gross for any part of that hour. If Unit 8 operated at or below 35 MW gross, this condition does not apply. If Unit 8 generated greater than 35 MW gross for the entire clock hour, this condition is applicable and the allowable

emission concentration is 0.34 lb SO2/mmBtu.

2. Allowable Emissions shall be computed as follows:

i. For each clock hour in which Unit 8 generated in excess of 35 MW gross for the entire hour, compute the hourly allowable SO2 emissions (pounds of SO2) as the product of the allowable concentration (0.34 lb/mmBtu) and the actual heat input. The actual heat input shall be determined in accordance with 40 CFR Part 75.

ii. For each 30-operating day period, and for each clock hour in that 30-operating day period in which Unit 8 operated at greater than 35 MW gross for the entire hour, sum all of the hourly allowable emission rates in that 30-operating day period.

iii. As an alternative to 2(i - ii), for each 30-operating day period, and for each clock hour in that 30-operating day period in which Unit 8 operated at greater than 35 MW gross for the entire hour, sum all of the hourly actual heat input rates in that 30-operating day period and multiple that value by the allowable emission rate (0.34 lb SO2/mmBtu).

3. Actual emissions shall be computed as follows:

i. For each clock hour in which Unit 8 generated in excess of 35 MW gross, the hourly actual SO2 emissions (pounds of SO2) shall be measured and recorded using a continuous emissions monitoring system. The CEMs shall be operated and maintained in accordance with 40 CFR Part 75, including required daily, quarterly and semi-annual or annual quality assurance checks. Bias-adjusted data are not required to be used to assess compliance with this condition. Only valid data shall be used; periods of missing data shall not be substituted (as is allowed under Part 75).

ii. For each 30-operating day period, and for each clock hour in that 30-operating day period in which Unit 8 operated at greater than 35 MW gross for the entire hour, sum all of the hourly actual emission rates in that 30-operating day period.

4. For each 30-operating day period, and for each clock hour in that 30-day operating period in which Unit 8 operated at greater than 35 MW gross for the entire hour, the sum of all hourly actual emissions in a 30-operating day period must not exceed the sum of all hourly allowable emissions in the same period.

On a calendar quarter basis, the owner or operator shall submit to the DEC a report of excess emissions. Such report shall state the date, magnitude, cause and corrective action of each period of excess emissions for that reporting period.

Manufacturer Name/Model Number: Teledyne M100EH or similar
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.34 pounds per million Btus
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 43: Phase II Applicability Condition
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:40CFR 72.6(a)(2), Subpart A

Item 43.1:
This Condition applies to Emission Unit: W-00003
Process: P31 Emission Source: B0013

Item 43.2:
This emission unit is an affacted unit under the Acid Rain Program under Title IV of the Federal Clean Air Act. The owner must comply with the attached Acid Rain permit, which is incorporated into this Title V permit.

Condition 44: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 225-2.3 (b) (1) (ii)

Item 44.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003 Emission Point: 00001

Item 44.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility owner or operator is allowed to burn waste fuel A that meets the specifications for lead (no greater

than 250 ppm), PCBs (less than 50 ppm), halogens (less than 1000 ppm), and gross heat content (equal to or greater than 125,000 BTU/gallon).

1. The combustion efficiency while burning Waste Fuel A must be at least 99 percent. Compliance shall be demonstrated using stack testing conducted oursuant to a protocol approved by the DEC. Burning of Waste Fuel A shall not be conducted this permit term (except for the period needed to conduct such tests) unless a compliance test has documented 99 percent combustion efficiency.

2. Prior to burning Waste Fuel A for the first time in the current permit term, the owner or operator shall test the Waste Fuel to demonstrate that it meets the limitations of 6 NYCRR 225-2.4(b), Table 2-1. Such tests shall be conducted in accordance with a protocol approved by the DEC.

3. The owner or operator shall provide to the DEC written notice the first time Waste Fuel A is burned this permit term, and shall maintain records of each time that Waste Fuel A is burned. Such records shall state the source of the Waste Fuel A.

On an annual basis (in the annual certification report), the owner or operator shall state whether Waste Fuel A was burned, and whether he or she complied with this requirement.

Process Material: WASTE OIL
Parameter Monitored: COMBUSTION EFFICIENCY
Lower Permit Limit: 99 percent
Reference Test Method: EPA Method 10
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 45: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 227-1.2 (a) (1)

Item 45.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003 Emission Point: 00001

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

Item 45.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Particulate emissions while firing No. 2 oil shall not exceed 0.1 lb/mmBtu. Stack testing upon request by NYSDEC shall be used to demonstrate compliance.

On an annual basis (in the annual certification report), the owner or operator shall state whether a stack test was conducted, and if so, the results of such testing.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.1 pounds per million Btus
Reference Test Method: EPA RM 5
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 227-1.2 (a) (4)

Item 46.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003 Emission Point: 00001

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

Item 46.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Total particulate emissions limit while burning coal from Table 1 based upon Emission Point 00001 total maximum heat input of 875 mmBtu/hr is 0.23 lb/mmBtu.

Upper Permit Limit: 0.23 pounds per million Btus
Reference Test Method: 40 CFR 60 APP A RM 5
Monitoring Frequency: Once every five years
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 47: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 47.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003 Emission Point: 00001

Item 47.2:
Compliance Certification shall include the following monitoring:

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

Stack opacity shall not exceed 20 percent (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with this standard may be determined by EPA Reference Method 9, continuous opacity monitoring system (COMS) data, and/or any other credible evidence. The owner shall install, operate in accordance with manufacturer's instructions, and properly maintain, a COMS in the stack satisfying the criteria in Appendix B of 40 CFR Part 60.

The owner or operator shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and post marked by the 60th day following the end of each calendar year quarter.

Manufacturer Name/Model Number: Teledyne Light-Hawk 560
Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR 60 APP B
Monitoring Frequency: CONTINUOUS
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 48: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable Federal Requirement:6 NYCRR 227-1.4 (b)

Item 48.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00003 Emission Point: 00001

Item 48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

1) Magnitude, date, and time of each exceedence;

2) For each period of excess emissions, specific identification of the cause and corrective action taken;

3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;

4) Total time the COMS is required to record data during the reporting period;

5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and

6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 49.1:
The Compliance Certification activity will be performed for:

Emission Unit: W-00006

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner or operator of this affected facility must record and maintain records of the amounts of each fuel combusted during the day. If this provision is subsequently modified (as has been proposed by the EPA), the owner or operator shall comply with such provision upon promulgation.

On an annual basis, the owner or operator shall submit to the DEC a statement whether he or she has maintained such records.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
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: **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 50: Contaminant List
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:ECL 19-0301

Item 50.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

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

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

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

Condition 51: Unavoidable noncompliance and violations
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR 201-1.4

Item 51.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

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

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

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

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

Condition 52: Air pollution prohibited
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR 211.2

Item 52.1:
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 53: Compliance Demonstration
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR Subpart 242-8

Item 53.1:
The Compliance Demonstration activity will be performed for the Facility.

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

Item 53.2:
Compliance Demonstration shall include the following monitoring:

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

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

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

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

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

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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)

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

Condition 54: Compliance Demonstration
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR Part 242

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

Item 54.2:
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. 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 rescribed 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 accountinmg 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 appendic 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 withou obtainimng prior written approval.

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: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 55: Compliance Demonstration
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR Part 246

Item 55.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 55.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1. The owner or operator shall not cause or allow emissions of mercury in excess of 30.0 pounds per 12 month period, rolled monthly, from January 1, 2010 to December 31, 2014.

2. Effective January 1, 2015, the owner or operator shall not cause or allow emissions of mercury in excess of 0.6 pounds per trillion Btu. Compliance with this emission limit shall be determined on a 30 day rolling period, rolled daily.

3. The owner or operator shall comply with the monitoring, record keeping and reporting requirements of 40 CFR Part 75, Subpart I and 6 NYCRR 246.

4. Mercury emissions shall be monitored pursuant to 40 CFR 75.81(b)-(e), provided annual emissions are less than or equal to 464 ounces. The owner or operator shall conduct either annual or semi-annual testing as described in 40 CFR 75.81(d). If, at the end of any calendar year, the cumulative annual mercury mass emissions exceed 464 ounces, the owner or operator shall install, certify, operate and maintain a mercury concentration monitoring system or a sorbent trap monitoring system no later than 180 days after the end of that calendar year.

5. Hourly emissions of mercury shall be computed according to 40 CFR Part 75, Appendix F.

6. Emission control equipment parametric data must be recorded in accordance with 40 CFR 75.58(b)(3)(i).

7. The owner or operator must submit quarterly reports in a format prescribed by the DEC and the Administrator no later than 30 days after the end of the quarter and in the manner specified in 40 CFR 75.84(f). In the quarterly submission the owner or operator must certify that the data were submitted in accordance with 6 NYCRR 246 and 40 CFR Part 75, that missing data were substituted in accordance with 40 CFR 75.34(a)(1).

8. No owner or operator shall use any alternative monitoring system without written approval from the DEC; allow the discharge of mercury emissions without accounting for such emissions; disrupt the operation of a mercury continuous monitoring system (except for periods of calibration, quality assurance testing, maintenance or recertification; or discontinue the use of a monitoring

system unless another system has been approved by the DEC or the EPA.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

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

Condition 56: Compliance Demonstration
Effective between the dates of 11/23/2010 and 11/22/2015

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

Item 56.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: W-00003

Item 56.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The sulfur content of No. 2 fuel oil burned at this facility is limited to 1.5% sulfur by weight, maximum never to be exceeded. (This limit is State-only enforceable. The Federally enforceable limit is 2.0% sulfur, by weight, never to be exceeded.) Compliance will be demonstrated by vendor receipts for each fuel oil delivery. Records must be maintained at the facility for a period of three years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR
Upper Permit Limit: 1.5 percent by weight
Reference Test Method: ASTM
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 57: Compliance Demonstration
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR 227-2.5 (b)

Item 57.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: W-00003

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

Item 57.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Every system averaging plan must have the following characteristics:

(1) The system averaging plan must employ a weighted average permissible emission rate.

(2) Averaging of emissions from sources within the severe ozone nonattainment area with those outside the severe ozone nonattainment area is not allowed.

(3) In the event of a forced outage, the weighted average permissible emission rate must be adjusted to account for the emission source or major electrical inter-tie (345 kV or greater) not in operation as a result of the forced outage. The adjusted emission rate will be deemed in compliance for the period of the forced outage. In the event of a forced outage, the facility owner or operator must, within 30 days thereafter, submit a written report to the department which describes why the outage was unavoidable and includes the following:

(i) a contemporaneous operating log signed by the responsible official identifying the location of the emission source which was subject to the forced outage and the cause of such outage;

(ii) a demonstration that the emission source was being properly operated at the time the outage occurred;

(iii) a demonstration that, during the outage, the facility owner or operator took all reasonable steps to minimize emissions from the operating emission sources included in the system averaging plan, or other requirements of the permit; and

(iv) a proposed repair or replacement schedule for the

subject emission source or a proposed revised system averaging plan.

(4) Every owner or operator of an emission source participating in the system averaging plan is liable for any and all violations of the provisions of this Subpart by any owner or operator of any emission source participating in the system averaging plan.

The system averaging plan must be approved by the Department and attached to each facility's permit that is part of the plan. Each plan will address monitoring frequency, averaging methods, and reference test methods.

All records associated with the system averaging plan must be kept at each facility that participates in the plan for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 3 calendar month(s).

Condition 58: Compliance Demonstration
Effective between the dates of 11/23/2010 and 11/22/2015

Applicable State Requirement:6 NYCRR 227-2.4 (d)

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

Emission Unit: W-00006

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

Item 58.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a small boiler, small combustion turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document. Records of each tune-up must be kept on-site for a minimum of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).