



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 7-3134-00022/00011  
Mod 0 Effective Date: 09/29/2006 Expiration Date: 09/28/2011  
Mod 1 Effective Date: 11/23/2007 Expiration Date: 09/28/2011  
Mod 2 Effective Date: 06/12/2010 Expiration Date: 09/28/2011

Permit Issued To: TENNESSEE GAS PIPELINE COMPANY  
1001 LOUISIANA ST  
PO BOX 2511  
HOUSTON, TX 77252-2511

Facility: TENNESSEE GAS PIPELINE CO - COMP STA 241  
3447 SENTINEL HEIGHTS RD  
LAFAYETTE, NY 13084

Contact: RAVINDRA M KURA  
TENNESSEE GAS PIPELINE COMPANY  
1001 LOUISIANA ST STE S1102A  
HOUSTON, TX 77002  
(713) 420-4932

Description:  
The owner proposes to replace: (1) manual PCC valves with electronic PCC valves; (2) the turbocharger; (3) the cylinder head and pistons.

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
  - Applications for Permit Renewals and Modifications
  - Permit modifications, suspensions or revocations by the Department
  - Permit modifications, suspensions or revocations by the Department
  - Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

- Submission of Applications for Permit Modification or Renewal -REGION 7 HEADQUARTERS
- 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 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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 1-1.2:**

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 1-1.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted to the Department at least 30 days before the expiration of the permit.



**Condition 3: Applications for Permit Renewals and Modifications**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

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 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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 2-1: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 2-1.1:**

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;



provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 7 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.5 (a)**

**Item 5.1:**

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

**Condition 1-3: Submission of application for permit modification or renewal-REGION 7 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 1-3.1:**

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

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 7313400022



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

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

**IDENTIFICATION INFORMATION**

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1001 LOUISIANA ST  
PO BOX 2511  
HOUSTON, TX 77252-2511

Facility: TENNESSEE GAS PIPELINE CO - COMP STA 241  
3447 SENTINEL HEIGHTS RD  
LAFAYETTE, NY 13084

Authorized Activity By Standard Industrial Classification Code:  
4922 - NATURAL GAS TRANSMISSION

Mod 0 Permit Effective Date: 09/29/2006

Permit Expiration Date: 09/28/2011

Mod 1 Permit Effective Date: 11/23/2007

Permit Expiration Date: 09/28/2011

Mod 2 Permit Effective Date: 06/12/2010

Permit Expiration Date: 09/28/2011



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 2-1 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 1-1 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 2-2 6 NYCRR 202-1.1: Required Emissions Tests
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR 200.6: Compliance Certification
- 24 6 NYCRR Subpart 201-6: Emission Unit Definition
- 25 6 NYCRR 201-6.5 (b) (2): Compliance Certification
- 26 6 NYCRR 201-6.5 (b) (2): Compliance Certification
- 27 6 NYCRR 201-6.5 (c) (3): Compliance Certification
- 2-3 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 28 6 NYCRR 201-6.5 (g): Non Applicable requirements
- \*29 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*30 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*31 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 32 6 NYCRR 227-1.3 (a): Compliance Certification
- 1-2 6 NYCRR 227-2.3 (c): Compliance Certification
- 1-3 6 NYCRR 227-2.3 (c): Compliance Certification
- 1-4 6 NYCRR 227-2.3 (c): Compliance Certification
- 35 6 NYCRR 227-2.4 (f) (2): Compliance Certification
- 36 40CFR 63.6(e)(3), Subpart A: Compliance Certification
- 1-5 40CFR 63.6600, Subpart ZZZZ: Compliance Certification
- 38 40CFR 63.6600, Subpart ZZZZ: Compliance Certification



- 39 40CFR 63.6600, Subpart ZZZZ: Compliance Certification
- 40 40CFR 63.6640, Subpart ZZZZ: Compliance Certification
- 41 40CFR 63.6645, Subpart ZZZZ: Compliance Certification
- 42 40CFR 63.6650, Subpart ZZZZ: Compliance Certification
- 43 40CFR 63.6655, Subpart ZZZZ: Compliance Certification

**Emission Unit Level**

- 44 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 45 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
- 46 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

**EU=R-24101**

- 1-6 6 NYCRR 227-2.3 (c): Compliance Certification

**EU=R-24102**

- \*1-7 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 2-4 6 NYCRR Subpart 202-1: Compliance Certification

**EU=R-24102,Proc=RC2**

- 48 6 NYCRR 227-2.3 (c): Compliance Certification
- 1-8 40CFR 52, Subpart HH: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 50 ECL 19-0301: Contaminant List
- 2-5 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 51 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 2-6 6 NYCRR 211.2: Air pollution prohibited
- 52 6 NYCRR 211.2: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.



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

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

**Item A: 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.

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 2.1:**  
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 3.1:**



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

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

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

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

**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 4.1:**

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

**Condition 5: Compliance Certification**

**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum



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 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).



**Condition 6: Compliance Certification**  
Effective between the dates of 09/29/2006 and 09/28/2011

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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 end of the calendar year.

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:

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615 Erie Boulevard, West  
Syracuse, NY 13204-2400

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring  
and Enforcement  
50 Wolf Road  
Albany, NY 12233-3258

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 8.1:**

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

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

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

(b) These records shall be made available at the facility to the representatives of the



department upon request during normal business hours.

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites  
Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR Part 215**

**Item 9.1:**

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

**Condition 2-1: Open Fires - Prohibitions  
Effective between the dates of 06/12/2010 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 2-1.1:**

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 2-1.2**

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 10: Maintenance of Equipment**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 11.1:**

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

**Condition 1-1: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 11/23/2007 and 09/28/2011**

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

**Replaces Condition(s) 12**

**Item 1-1.1:**

No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants



from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 13.1:**

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

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 14.1:**

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

**Condition 15: Standard Requirement - Provide Information**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 15.1:**

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

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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



**Item 16.1:**

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

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

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

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

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

**Condition 17: Standard Requirements - Progress Reports  
Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 17.1:**

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

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

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

**Condition 18: Off Permit Changes  
Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 18.1:**

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

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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 2-2: Required Emissions Tests**  
**Effective between the dates of 06/12/2010 and 09/28/2011**

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

**Item 2-2.1:**

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

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 211.3**

**Item 20.1:**

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

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 21.1:**

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

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- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

**Condition 22:     Recycling and Emissions Reduction**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 22.1:**

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

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

**Condition 23:     Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 23.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 000050-00-0     FORMALDEHYDE

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The owner or operator shall evaluate the potential ambient impacts of formaldehyde emitted from the existing and proposed engines located at the facility. The facility owner or operator shall quantify the formaldehyde



emissions rate; collect ambient meteorological data; and estimate ambient impacts pursuant to a modeling protocol approved by the DEC.

1. Not later than 180 days after commencement of operation of the newly installed engines, the owner or operator shall conduct formaldehyde emissions testing on the existing and new engines in accordance with a protocol approved by the DEC. The test results shall be submitted to the DEC within 60 days of completion of all testing.
2. No later than 60 days prior to conducting such tests, the owner or operator shall submit to the DEC a protocol for testing emissions of formaldehyde emitted from each engine.
3. Not later than 60 days after the effective date of this permit, the owner or operator shall submit to the DEC a plan to monitor meteorological data necessary to perform refined dispersion modeling including, at a minimum, wind speed, wind direction, ambient temperature, sigma theta (wind direction variability for stability), or any other stability method.
4. Not later than 120 days after receipt of DEC approval of the monitoring station protocol, the owner or operator shall commence operation of the meteorological station and gather data for a period of not less than one year. The collection of such data shall follow EPA and DEC guidance on meteorological data monitoring, instrument specifications and quality assurance and control procedures. The owner or operator shall provide to the DEC written notice of the date data collection commences and any system audits.
5. Not later than 180 days after the effective date of this permit, the owner or operator shall submit to the DEC a protocol for modeling ambient impacts of formaldehyde emissions from the existing and newly proposed engines.
6. Not later than 90 days after completion of one year's worth of acceptable meteorological data or submission of the emissions test results required in item 1 above, whichever is later, the owner shall submit to the DEC a report describing the ambient impacts of formaldehyde emissions from the existing and new engines.
7. On and after one year after receipt of written approval from the DEC of the modeling report specified in item 6, the owner or operator shall not cause or allow the



emission of formaldehyde that will result in a predicted ambient impact in excess of (1) 30 micrograms per cubic meter, one hour average, or (2) 0.06 micrograms per cubic meter, annual average, except that if the owner installs and operates catalytic oxidizers on all of the engines, the annual impact may exceed 0.06 micrograms per cubic meter but shall not exceed 0.6 micrograms per cubic meter.

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

Upper Permit Limit: 0.06 micrograms per cubic meter  
Reference Test Method: DEC approved model  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: ARITHMETIC MEAN  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 24: Emission Unit Definition**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 24.1(From Mod 2):**

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

Emission Unit: R-24102

Emission Unit Description:

ONE 4,500 HP COOPER BESSEMER MODEL 10W-330C2 "CLEAN BURN" RECIPROCATING ENGINE THAT FIRES NATURAL GAS.

This device is rated at 4,500 hp at 80 F. The maximum potential ambient rating is 5,220 hp at 40 F.

This modification (Mod 2) authorizes the following changes:

1. Replacement of the existing mechanical pre-combustion chamber (PCC) valves with electronic PCC check valves.
2. Replacement of the current turbocharger with an upgraded turbocharger.
3. Replacement of the cylinder head and pistons.

Building(s): 1

**Item 24.2(From Mod 1):**

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

Emission Unit: R-24101

Emission Unit Description:

TWO 3,400 HP CLARK, MODEL TLA-10  
RECIPROCATING ENGINES, EACH FIRING NATURAL  
GAS AND RETROFITTED WITH LOW EMISSIONS  
COMBUSTION KIT.

Building(s): 1

**Item 24.3(From Mod 1):**

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

Emission Unit: R-24104

Emission Unit Description:

Caterpillar Model 3612 internal combustion engine (4  
stroke, lean burn) rated at 3,785 hp.

Building(s): 2

**Item 24.4(From Mod 1):**

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

Emission Unit: R-24105

Emission Unit Description:

Caterpillar Model 3612 internal combustion engine (4  
stroke lean burn) rated at 3,785 HP

Building(s): 2

**Condition 25: Compliance Certification**

**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 25.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24102

Regulated Contaminant(s):

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

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Periodic Monitoring for Compliance with NOx RACT

On an annual basis, or at a more frequent basis, the owner  
or operator shall conduct emission tests for NOx. Such  
testing shall be conducted using ASTM D6522-00 or

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equivalent, in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.

On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 1.0 grams per brake horsepower-hour  
Reference Test Method: ASTM D6522-0  
Monitoring Frequency: ANNUALLY  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 26: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 26.1:**

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

Emission Unit: R-24101

Regulated Contaminant(s):

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

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Periodic Monitoring for Compliance with NO<sub>x</sub> RACT

On an annual basis, or at a more frequent basis, the owner or operator shall conduct emission tests for NO<sub>x</sub>. Such testing shall be conducted using ASTM D6522-00 or equivalent, in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.

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On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 1.5 grams per brake horsepower-hour  
Reference Test Method: ASTM D6522-0  
Monitoring Frequency: ANNUALLY  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 27: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**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:

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 1/30/2007.

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

**Condition 2-3: Non Applicable requirements**  
**Effective between the dates of 06/12/2010 and 09/28/2011**

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

**Item 2-3.1:**

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

**Condition 28: Non Applicable requirements**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 28.1:**

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

**Condition 29: Capping Monitoring Condition**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 29.1:**

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

6 NYCRR Subpart 231-2



**Item 29.2:**

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

**Item 29.3:**

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

**Item 29.4:**

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

**Item 29.5:**

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

**Item 29.6:**

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

Emission Unit: R-24104

Emission Unit: R-24105

Regulated Contaminant(s):

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

**Item 29.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/operator shall not cause or allow emissions of NO<sub>x</sub> in excess of 0.50 grams/bhp-hr. Emissions shall be determined using Reference Method 7E or ASTM D6522-00, or equivalent.

Initial testing shall be conducted no later than 180 days after first combusting fuel, excluding the initial engine commissioning period of up to 200 operating hours. Testing shall be conducted in accordance with a test protocol approved by the DEC.



Subsequent performance tests must be conducted annually.

No later than 60 days after completion of any emissions tests, the owner or operator shall submit to the DEC a report describing the results of emissions testing.

On an annual basis, the owner or operator must submit to the DEC a report stating whether a performance test was conducted, and if so, state whether the emissions were less than the allowable emission limit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.50 grams per brake horsepower-hour

Reference Test Method: ASTM D6522-00 or EPA 7E

Monitoring Frequency: ANNUALLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 10/28/2007 for the period 09/29/2006 through 09/28/2007

**Condition 30: Capping Monitoring Condition**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 30.1:**

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

40 CFR 52.21

**Item 30.2:**

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

**Item 30.3:**

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

**Item 30.4:**

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



applicable requirement.

**Item 30.5:**

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

**Item 30.6:**

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

Emission Unit: R-24104

Emission Unit: R-24105

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 30.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

No owner or operator shall cause annual emissions of carbon monoxide from the combined emissions points 24104 and 24105 in excess of 100 tons per 12 month rolling basis.

Emissions from each emission point shall be computed according to the following equation:

$$\text{CO emissions, TPY} = (\text{mass of CO emissions/bhp-hr}) \times (\text{average bhp for each hour}) \times (\text{operating hour}).$$

The emissions factors (mass of CO per brake horsepower hour) shall be based on the most recent stack test (including results from the use of ASTM D6522-00) or on the highest emissions factor (based on testing) in that reporting period. The revised CO emissions factor must be used upon submission of the test report to the DEC.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether combined emissions were less than 100 tons per year for each 12 month rolling period in the reporting period. Additionally, in the event that emissions of CO exceed 100 TPY in any rolling 12 month period, the owner or operator shall, within 30 days of such excess emission, submit to the DEC a report of such excess emissions.

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Facility DEC ID: 7313400022



Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 100 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 31: Capping Monitoring Condition**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

**Item 31.1:**

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

6 NYCRR Subpart 231-2

**Item 31.2:**

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

**Item 31.3:**

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

**Item 31.4:**

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

**Item 31.5:**

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

**Item 31.6:**

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

Emission Unit: R-24104



Emission Unit: R-24105

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

**Item 31.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/operator shall not cause or allow emissions of VOC in excess of 0.50 grams/bhp-hr. Emissions shall be determined using 40 CFR Part 60, Appendix A, Method 18, or equivalent.

Initial testing shall be conducted no later than 180 days after first combusting fuel, excluding the initial engine commissioning period of up to 200 operating hours. Testing shall be conducted in accordance with a test protocol approved by the DEC.

Subsequent performance tests must be conducted upon the request of the DEC.

Within 60 days after completion of any emissions tests, the owner or operator shall submit to the DEC a report describing the results of emissions testing.

On an annual basis, the owner or operator must submit to the DEC a report stating whether a performance test was conducted, and if so, state whether the emissions were less than the allowable emission limit. The owner or operator must also state whether any changes were made to the operation of the device that could lead to increased VOC emissions.

Parameter Monitored: VOC

Upper Permit Limit: 0.50 grams per brake horsepower-hour

Reference Test Method: EPA Method 18 or equivalent

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

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 1/30/2007.

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

**Condition 32: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**



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

**Item 32.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24101

Emission Unit: R-24102

Emission Unit: R-24104

Emission Unit: R-24105

**Item 32.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

The owner or operator shall conduct opacity observations according to 40 CFR Part 60, Appendix A, RM 9 upon request of the DEC. Results of such testing shall be submitted to the DEC within 30 days of concluding such tests.

On a semi-annual basis, the owner or operator shall submit to the DEC a report stating whether such testing was conducted and if so, stating the results of such testing.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 1-2: Compliance Certification**

**Effective between the dates of 11/23/2007 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 227-2.3 (c)**

**Item 1-2.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24101



Emission Unit: R-24102

**Item 1-2.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NOx Operating Plan Requirement

The owner or operator shall monitor ignition timing and compare such timing to an ignition curve as follows:

1. An ignition timing curve shall be developed in accordance with a NOx operating manual. Such curve shall identify proper ignition timing (for NOx compliance) as a function of engine speed, air manifold temperature and pressure, and engine load.
2. Ignition timing shall be monitored during each engine analysis to ensure it is within 1 degree of the prescribed curve. The facility will ensure that the engine analysis is performed at least every 2,500 hours of operation or once per permit term, whichever is more frequent.
3. When ignition timing exceeds one degree of the prescribed curve, corrective action must be taken by the Station operators within 24 hours. If Station corrective action fails to bring the ignition timing within one degree of the prescribed curve, the owners or operators must repair the engine within 30 days of first operation with the ignition timing outside the operating curve.
4. The owner or operator shall maintain records of all corrective action taken to correct the ignition timing. If operation outside the prescribed curve continues for more than 30 days, the owner or operator shall send a written notice to the DEC.
5. Failure to take corrective action is considered a violation of this condition.
6. On a semi-annual basis, the owners or operators shall submit to the DEC a report stating whether ignition timing has been monitored and recorded.
7. On an annual basis, the owners or operators shall submit to the DEC a statement of compliance

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Reporting Requirements: ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
The initial report is due 1/30/2008.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-3: Compliance Certification**  
**Effective between the dates of 11/23/2007 and 09/28/2011**

**Applicable Federal Requirement: 6 NYCRR 227-2.3 (c)**

**Replaces Condition(s) 34**

**Item 1-3.1:**

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

Emission Unit: R-24101

Emission Unit: R-24102

Emission Unit: R-24104

Emission Unit: R-24105

**Item 1-3.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NOx Operating Plan Requirement

The owner or operator shall conduct an Engine Analysis at least once every 2,500 operating hours, or once per permit term, whichever is more frequent. The Engine Analysis must include an analysis of the ignition system, an analysis of the power cylinders, and an analysis of the compressor cylinders.

On a semi-annual basis, the owners or operators shall submit to the DEC a report stating whether an Engine Analysis has been conducted and if so, a summary or copy of the report of such analysis.

On an annual basis, the owners or operators shall submit to the DEC a statement of compliance.

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 1/30/2008.

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

**Condition 1-4: Compliance Certification**



Effective between the dates of 11/23/2007 and 09/28/2011

Applicable Federal Requirement:6 NYCRR 227-2.3 (c)

**Item 1-4.1:**

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

Emission Unit: R-24104

Emission Unit: R-24105

**Item 1-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NOx Operating Plan Requirement

The owner or operator shall monitor ignition timing on a continuous basis and compare such timing to an ignition curve as follows:

1. An ignition timing curve shall be developed in accordance with a NOx operating manual. Such curve shall identify proper ignition timing (for NOx compliance) as a function of engine speed, air manifold temperature and pressure, and engine load.

An ignition timing curve shall be submitted to the DEC within 60 days of the effective date of this permit.

2. Ignition timing shall be monitored and recorded on a continuous basis.

3. When ignition timing exceeds one degree of the prescribed curve, corrective action must be taken by the Station operators within 24 hours. If Station corrective action fails to bring the ignition timing within one degree of the prescribed curve, the owners or operators must repair the engine within 30 days of first operation with the ignition timing outside the operating curve.

4. The owner or operator shall maintain records of all corrective action taken to correct the ignition timing. If operation outside the prescribed curve continues for more than 30 days, the owner or operator shall send a written notice to the DEC.

5. Failure to take corrective action is considered a violation of this condition.



6. On a semi-annual basis, the owners or operators shall submit to the DEC a report stating whether ignition timing has been monitored and recorded.

7. On an annual basis, the owners or operators shall submit to the DEC a statement of compliance.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

**Condition 35: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement: 6 NYCRR 227-2.4 (f) (2)**

**Item 35.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24101

Regulated Contaminant(s):

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

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Compliance Testing

The owners or operators shall not cause or allow the emission of NO<sub>x</sub> from Units 1A or 2A (the Clarke TLA-10 engines) in excess of 1.5 grams per brake horsepower-hour.

Compliance shall be determined using 40 CFR Part 60, Appendix A, Methods 3A and 7E or equivalent. Testing shall be conducted in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.

Testing shall be conducted once per permit term and at any other time upon written notification from the DEC.

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On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Upper Permit Limit: 1.5 grams per brake horsepower-hour  
Reference Test Method: EPA Method 7E  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 36: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6(e)(3), Subpart A**

**Item 36.1:**

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

Emission Unit: R-24104

Emission Unit: R-24105

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The owner or operator must develop and maintain (on-site) a startup, shutdown and maintenance plan pursuant to 40 CFR 63.6(e)(3). The plan may be revised. The owner or operator must keep records for each event that demonstrate whether he or she has followed the startup, shutdown and malfunction plan.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she has complied with these requirements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-5: Compliance Certification**  
**Effective between the dates of 11/23/2007 and 09/28/2011**



**Applicable Federal Requirement:40CFR 63.6600, Subpart ZZZZ**

**Replaces Condition(s) 37**

**Item 1-5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-5.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Pursuant to 40 CFR 63.6600(b) and Table 2b of that regulation, the owner or operator must maintain the catalyst in each engine so that the pressure drop across the catalyst does not change by more than two inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test. The pressure drop must be measured at least once per month.

On a semi-annual basis, the owner or operator shall submit to the DEC a report stating whether he or she has complied with this requirement. Deviations are required to be reported to the DEC as described elsewhere in this permit.

Parameter Monitored: PRESSURE DROP

Upper Permit Limit: 10 percent

Monitoring Frequency: MONTHLY

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED  
RANGE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

**Condition 38: Compliance Certification**

**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6600, Subpart ZZZZ**

**Item 38.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

**Item 38.2:**

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Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Pursuant to 40 CFR 63.6600(b) and Table 2b of that regulation, the owner or operator must maintain the temperature of each engine exhaust so that the catalyst inlet temperature is greater than or equal to 450 degrees F and less than or equal to 1350 degrees F. The averaging period is a rolling four hour period.

On a semi-annual basis, the owner or operator shall submit to the DEC a report stating whether he or she has complied with this requirement. Deviations are required to be reported to the DEC as described elsewhere in this permit.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 450 degrees Fahrenheit

Upper Permit Limit: 1350 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: 4-HOUR ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 39: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6600, Subpart ZZZZ**

**Item 39.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

(1) The Caterpillar G3612 engines, Emission Units R24104 and R24105, are subject to the requirements of 40 CFR



63.6600, Table 2a and Table 2b. Emissions of carbon monoxide must be reduced by 93% or more, on a dry volume basis when corrected to 15%O<sub>2</sub>.

Pursuant to 40 CFR 63.6605, this limit applies at all times except during periods of startup, shutdown or malfunction. The owner or operator must maintain and operate the engines, air pollution control equipment and monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions at all times, including during startup, shutdown and malfunction.

(2) Compliance shall be determined through emissions testing using either ASTM D6522-00 (portable analyzers) or 40 CFR Part 60, Appendix A, Methods 3A and 10. The owner or operator must comply with the procedures in 40 CFR 63.6620(a)-(e) and (i).

(3) Pursuant to 40 CFR 63.6610 and 40 CFR 63.7(a)(2), the owner or operator must conduct the initial emissions tests on each engine no later than 180 days after first combusting fuel in such engine. Thereafter, each engine must be tested semi-annually, except as follows: after demonstrating compliance for two consecutive semi-annual tests, the owner or operator may test emissions annually. If the results from any test show non-compliance, the engines must then be tested semi-annually.

(4) Pursuant to 40 CFR 63.7, the owner or operator must notify the EPA and the DEC of his or her intention to conduct each performance test at least 60 days before the performance test is initially scheduled to begin. The owner or operator shall submit to the DEC and the EPA a site-specific test plan at least 60 days before the test is to commence. Results of each test shall be submitted to the DEC and the EPA no later than 60 days after the completion of each performance test.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she complied with this condition. Deviations are required to be reported to the DEC as described elsewhere in this permit.

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 93 percent reduction by volume  
Reference Test Method: ASTM D6522-00 or equivalent

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Monitoring Frequency: ANNUALLY  
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 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 40: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6640, Subpart ZZZZ**

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) The owner or operator must report each instance in which the emission units did not meet each emission limitation or operating limitation in Tables 2a and 2b. Deviations must be reported according to the requirements in 40 CFR 63.6650. If the catalyst is changed, the values of the operating parameters measured during the initial performance test must be re-established by conducting a performance test (as soon as practical after such change) to demonstrate that the engines are meeting the required emission limitation.
- (2) During periods of startup, shutdown, and malfunction, the engines must be operated in accordance with the startup, shutdown, and malfunction plan.
- (3) Consistent with 40 CFR 63.6(e) and 63.7(e)(1), deviations from the emission or operating limitations that occur during a period of startup, shutdown, or malfunction are not violations if the owner or operator demonstrates to the satisfaction of the DEC that the engine was operated in accordance with the startup, shutdown, and malfunction plan. For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations.
- (4) The owner or operator must also report each instance in which an affected engine did not meet the requirements in Table 8 of 40 CFR Part 63, Subpart ZZZZ (listing the General Provisions of 40 CFR Part 63).



(5) On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she complied with this requirement for the just completed reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 41: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6645, Subpart ZZZZ**

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

MACT NOTIFICATIONS

Both the General Provisions of 40 CFR Part 63 and the regulations under the RICE standard, 40 CFR Part 63 Subpart ZZZZ, have testing and notification requirements. These regulations require that performance tests and continuous monitoring system (CMS) performance evaluations be conducted, and require the owner or operator to submit notifications of the dates when these tests are to be conducted. When the notifications are submitted, site-specific protocols are also required to be submitted. The test results are due 60 days after completion.

(1) Pursuant to 40 CFR 63.9(b)(4)(v), the owner or operator must submit to the DEC and the EPA a notification of the actual date of startup, delivered or postmarked within 15 calendar days of that date.

(2) Pursuant to 40 CFR 63.8(c)(3), all CMS shall be installed, operational, and the data verified either prior to or in conjunction with conducting the performance tests under 40 CFR 63.7.

(3) Pursuant to 40 CFR 63.6645(c) and 40 CFR 63.9(b)(4), the owner or operator must submit an Initial Notification not later than 120 days after becoming subject to 40 CFR



Part 63, Subpart ZZZZ.

(4) Pursuant to 40 CFR 63.45(e), 63.7(b)(1) and 63.9(e), the owner or operator must submit to the DEC and the EPA a Notification of Intent to conduct a performance test. Such notification shall be submitted at least 60 days before the performance test is scheduled to begin.

(5) Pursuant to 40 CFR 63.7(b)(2), the owner or operator shall submit to the DEC and the EPA a site specific test plan. Such report shall be submitted no later than 60 days before the performance test is to take place (simultaneously with the Notification of Intent to test).

(6) Pursuant to 40 CFR 63.8(e)(2) and 40 CFR 63.6625(b), the owner or operator shall submit to the DEC and the EPA a notification of the date of the continuous monitoring systems performance evaluation. Such notification shall be submitted no later than 60 days prior to conducting the evaluation.

(7) Pursuant to 40 CFR 63.8(e)(3)(iii), the owner or operator shall submit to the DEC and the EPA a site specific performance evaluation test plan for the continuous monitoring systems at the facility. Such plan shall be submitted at least 60 days before the performance evaluation is to be conducted, simultaneously with the notification.

(8) Pursuant to 40 CFR 63.6645(f) and 63.9, the owner or operator must submit a Notification of Compliance Status as follows:

(i) For each initial compliance demonstration required in Table 5 of 40 CFR Part 63, Subpart ZZZZ that does not include a performance test, the owner or operator must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration; and

(ii) For each initial compliance demonstration required in Table 5 of 40 CFR Part 63, Subpart ZZZZ that includes a performance test conducted according to the requirements in Table 4 to this subpart, the owner or operator must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to 40 CFR 63.10(d)(2) and 40 CFR 63.7(g).



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 42: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6650, Subpart ZZZZ**

**Item 42.1:**

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

Emission Unit: R-24104

Emission Unit: R-24105

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

MACT REPORTING

The owner or operator shall submit, for each Caterpillar G 3612 engine, a Compliance Report and a Startup, Shutdown and Malfunction report as specified in Table 7 of 40 CFR Part 63, Subpart ZZZZ.

Compliance reports must be submitted semi-annually on a calendar year basis. Reports are due 30 days after the reporting period. The compliance reports must contain the following information:

- (1) the company name and address;
- (2) a statement by the Responsible Official, with that official's name, title, and signature, certifying the accuracy of the content of the report;
- (3) the date of report and beginning and ending dates of the reporting period;
- (4) If any on the engines had a startup, shutdown, or malfunction during the reporting period, the compliance report must include the information in 40 CFR 63.10(d)(5)(i).
- (5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
- (6) If there were no periods during which the continuous monitoring system (CMS) was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no



periods during which the CMS was out-of-control during the reporting period.

(7) For each deviation from an emission or operating limitation:

(i) The date and time that each malfunction started and stopped.

(ii) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

(iii) The date, time, and duration that each CMS was out-of-control, including the information in 40 CFR 63.8(c)(8).

(iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(v) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(vii) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(viii) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(ix) A brief description of the stationary RICE.

(x) A brief description of the CMS.

(xi) The date of the latest CMS certification or audit.

(xii) A description of any changes in CMS, processes, or controls since the last reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 43: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:40CFR 63.6655, Subpart ZZZZ**

**Item 43.1:**

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 731340022



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

Emission Unit: R-24104

Emission Unit: R-24105

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

MACT RECORDS

The owner or operator must keep the following records:

- (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).
- (2) The records in 40 CFR 63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.
- (3) Records of performance tests and performance evaluations as required in Sec. 63.10(b)(2)(viii).

For each CEMS or CPMS, the owner or operator must keep:

- (1) Records described in 40 CFR 63.10(b)(2)(vi) through (xi).
- (2) Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3).

The owner or operator must keep the records of catalyst inlet temperature (four hour rolling averages) and records of the monthly measurement of pressure drop across the catalyst.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she 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 1/30/2007.

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

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



**Condition 44: Emission Point Definition By Emission Unit**  
Effective between the dates of 09/29/2006 and 09/28/2011

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

**Item 44.1(From Mod 0):**

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

Emission Unit: R-24101

Emission Point: R001A

Height (ft.): 59 Diameter (in.): 36  
NYTMN (km.): 4754.685 NYTME (km.): 408.907 Building: 1

Emission Point: R002A

Height (ft.): 53 Diameter (in.): 28  
NYTMN (km.): 4754.68 NYTME (km.): 408.913 Building: 1

**Item 44.2(From Mod 0):**

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

Emission Unit: R-24102

Emission Point: R003A

Height (ft.): 52 Diameter (in.): 54  
NYTMN (km.): 4754.676 NYTME (km.): 408.921 Building: 1

**Item 44.3(From Mod 0):**

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

Emission Unit: R-24104

Emission Point: 24104

Height (ft.): 55 Diameter (in.): 32  
NYTMN (km.): 4754.673 NYTME (km.): 408.927

**Item 44.4(From Mod 0):**

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

Emission Unit: R-24105

Emission Point: 24105

Height (ft.): 55 Diameter (in.): 32  
NYTMN (km.): 4754.669 NYTME (km.): 408.934 Building: 1

**Condition 45: Process Definition By Emission Unit**  
Effective between the dates of 09/29/2006 and 09/28/2011

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

**Item 45.1(From Mod 2):**

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



Emission Unit: R-24102  
Process: RC2 Source Classification Code: 2-02-002-02  
Process Description:  
One 4,500 hp Cooper Bessemer 10W-330C2 Engine. This device is rated at 4,500 hp at 80 F. The maximum potential ambient rating is 5,220 hp at 40 F.

Emission Source/Control: 0R03A - Combustion

**Item 45.2(From Mod 1):**

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

Emission Unit: R-24101  
Process: RC1 Source Classification Code: 2-02-002-02  
Process Description: Two 3,400 hp Clark TLA-10 reciprocating engines.

Emission Source/Control: 0R01A - Combustion

Emission Source/Control: 0R02A - Combustion

**Item 45.3(From Mod 1):**

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

Emission Unit: R-24104  
Process: RC3 Source Classification Code: 2-02-002-54  
Process Description:  
4 Stroke lean burn internal combustion engine - natural gas fired

Emission Source/Control: 0R04A - Combustion  
Design Capacity: 3,785 horsepower (mechanical)

Emission Source/Control: 0R04C - Control  
Control Type: CATALYTIC OXIDATION

**Item 45.4(From Mod 1):**

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

Emission Unit: R-24105  
Process: RC4 Source Classification Code: 2-02-002-54  
Process Description:  
4 stroke lean burn internal combustion engine - natural gas fired

Emission Source/Control: 0R05A - Combustion  
Design Capacity: 3,785 horsepower (mechanical)

**Condition 46: Emission Unit Permissible Emissions**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

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

New York State Department of Environmental Conservation

Permit ID: 7-3134-00022/00011

Facility DEC ID: 7313400022



**Item 46.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited

shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: R-24104

CAS No: 000630080 (From Mod 1)

Name: CARBON MONOXIDE

PTE(s): 14,071 pounds per year

1.6 pounds per hour

CAS No: 0NY210000 (From Mod 1)

Name: OXIDES OF NITROGEN

PTE(s): 4.2 pounds per hour

36,800 pounds per year

CAS No: 0NY998000 (From Mod 1)

Name: VOC

PTE(s): 36,183 pounds per year

4.1 pounds per hour

Emission Unit: R-24105

CAS No: 000630080 (From Mod 1)

Name: CARBON MONOXIDE

PTE(s): 1.6 pounds per hour

14,071 pounds per year

CAS No: 0NY210000 (From Mod 1)

Name: OXIDES OF NITROGEN

PTE(s): 36,800 pounds per year

4.2 pounds per hour

CAS No: 0NY998000 (From Mod 1)

Name: VOC

PTE(s): 36,183 pounds per year

4.1 pounds per hour

**Condition 1-6: Compliance Certification**

**Effective between the dates of 11/23/2007 and 09/28/2011**

**Applicable Federal Requirement: 6 NYCRR 227-2.3 (c)**

**Item 1-6.1:**

The Compliance Certification activity will be performed for:

Emission Unit: R-24101

**Item 1-6.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 7313400022



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

Monitoring Description:  
NOx Operating Plan

The owner or operator shall monitor and record hourly fuel usage in thousand cubic feet (MCF). The owner shall not fire in excess of 29.7 MCF/hr in either Unit 1A or Unit 2A.

On a semiannual basis, the owner or operator shall submit to the DEC a report stating whether such monitoring was conducted. Additionally, if the fuel cap is exceeded, the owner or operator shall submit a written notification to the DEC within two business days of such excess fuel use.

Parameter Monitored: NATURAL GAS  
Upper Permit Limit: 29.7 1000 cubic feet per hour  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2008.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-7: Capping Monitoring Condition**  
**Effective between the dates of 11/23/2007 and 09/28/2011**

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

**Replaces Condition(s) 47**

**Item 1-7.1:**  
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40 CFR 52.21

**Item 1-7.2:**  
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 1-7.3:**  
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 7313400022



other state and federal air pollution control requirements, regulations or law.

**Item 1-7.4:**

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

**Item 1-7.5:**

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

**Item 1-7.6:**

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Regulated Contaminant(s):

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

**Item 1-7.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to avoid PSD, the operation of Unit 3A shall not exceed 8040 hours of operation per year, based on a 12 month rolling average. The facility must record and update daily the 12 month rolling total hours of operation. These records must be made available upon request by the DEC.

On a semiannual basis, the owners or operators must submit to the DEC a report stating whether such monitoring was conducted.

On an annual basis, the applicant must state whether it has complied with this requirement. Additionally, in the event that the engine is operated in excess of 8040 hours in any 12 month period, the owners or operators must submit to the DEC a report stating such occurrence within 48 hours of exceeding that limit.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 8040 hours per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 7313400022



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

**Condition 2-4: Compliance Certification**  
**Effective between the dates of 06/12/2010 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR Subpart 202-1**

**Item 2-4.1:**

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

**Item 2-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No later than 60 days after commencement of operation post replacement of the engine components described herein and in the permit application submitted May 14, 2010, the owner or operator shall conduct formaldehyde emissions testing on the Cooper Bessemer, Emission Unit R-24102. The test shall be conducted in accordance with methods approved by the DEC in accordance with the time frames specified in 6 NYCRR 202-1.

No later than 60 days after completing the emissions tests, the owner or operator shall submit to the DEC the results of testing.

Not later than 90 days after commencement of operation, the owner or operator shall conduct an inspection of the engine and review its operation from a reliability perspective. In the event that TGP determines the replaced components impart adverse impacts on the reliability, physical integrity of the engines and/or unacceptable emissions, TGP will restore the engine back to the pre-project configuration no later than April 30, 2011. TGP will provide to the DEC notification of such event within 30 days after the restoration.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 48: Compliance Certification**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**Applicable Federal Requirement:6 NYCRR 227-2.3 (c)**

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 7313400022



**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Process: RC2

**Item 48.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

NOx RACT Operating Plan

The owner or operator shall monitor and record hourly fuel usage in thousand cubic feet (MCF). The owner shall not fire in excess of 40.7 MCF/hr in Unit 3A.

On a semiannual basis, the owner or operator shall submit to the DEC a report stating whether such monitoring was conducted. Additionally, if the fuel cap is exceeded, the owner or operator shall submit a written notification to the DEC within two business days of such excess fuel use.

Parameter Monitored: NATURAL GAS

Upper Permit Limit: 40.7 1000 cubic feet per hour

Monitoring Frequency: CONTINUOUS

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT  
ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 1-8: Compliance Certification**

**Effective between the dates of 11/23/2007 and 09/28/2011**

**Applicable Federal Requirement:40CFR 52, Subpart HH**

**Replaces Condition(s) 49**

**Item 1-8.1:**

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Process: RC2

Regulated Contaminant(s):

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

**Item 1-8.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 7-3134-00022/00011

Facility DEC ID: 731340022



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Compliance Testing

The owners or operators must not allow the operation of Unit 3A to emit oxides of nitrogen in excess of 1.0 gram per brake horsepower-hour.

Compliance shall be determined using 40 CFR Part 60, Appendix A, Method 7E. Testing shall be conducted in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.

Testing shall be conducted once per permit term and at any other time upon written notification from the DEC.

On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: EPA Method 7E

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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 09/29/2006 and 09/28/2011**

**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: 000050-00-0  
Name: FORMALDEHYDE



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

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

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

**Condition 2-5: Unavoidable noncompliance and violations**  
**Effective between the dates of 06/12/2010 and 09/28/2011**

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

**Item 2-5.1:**

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 51: Unavoidable noncompliance and violations**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**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 2-6: Air pollution prohibited**  
**Effective between the dates of 06/12/2010 and 09/28/2011**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 2-6.1:**

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 52: Air pollution prohibited**  
**Effective between the dates of 09/29/2006 and 09/28/2011**

**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.

