



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 7-3512-00030/00023
Mod 0 Effective Date: 05/17/2010 Expiration Date: 05/16/2015
Mod 1 Effective Date: 05/16/2012 Expiration Date: 05/16/2015

Permit Issued To: OSWEGO HARBOR POWER LLC
261 WASHINGTON BLVD
OSWEGO, NY 13126

Contact: MARION GREENHALGH
OSWEGO HARBOR POWER LLC
261 WASHINGTON BLVD
OSWEGO, NY 13126-1751
(315) 349-2365

Facility: OSWEGO HARBOR POWER
261 WASHINGTON BLVD
OSWEGO, NY 13126

Contact: MARION GREENHALGH
OSWEGO HARBOR POWER LLC
261 WASHINGTON BLVD
OSWEGO, NY 13126-1751
(315) 349-2365

Description:
Mod 1 - This permit action adds permit conditions for 6NYCRR Part 249 (Best Available Retrofit Technology - BART for NO_x, SO₂, and PM-10) requirements and changes necessary to meet the updated 6NYCRR Part 227-2 (NO_x Reasonably Available Control Technology RACT) requirements. Also, Unit 3 can no longer operate and has been removed from the permit. Additionally, conditions regarding the burning of waste fuel have been removed to reflect the end of that capability at the facility.

Oswego Harbor Power is an electric power producer and includes the following equipment:

1. Unit 5 - (Emission Unit 5) This unit is capable of firing natural gas or oil, and its maximum heat input is 7,840 mmBTU/hr.
2. Unit 6 - (Emission Unit 6) This unit is capable of firing natural gas or oil, and its maximum heat input is 7,840 mmBTU/hr.
3. Unit 9 - (Emission Unit 9) This unit is a package boiler capable of firing natural gas or oil (residual or distillate). The maximum heat input is 78.3 mmBTU/hr firing natural gas and 74.9 mmBTU/hr firing oil.

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4. Unit 10 - (Emission Unit 10) This unit is a package boiler used for station heating capable of firing natural gas or distillate oil. The maximum heat input is 90.5 mmBTU/hr.
5. The facility has four residual oil storage tanks with a capacity of 16,254,000 gallons each.
6. The facility operates a lime feeder at the water treatment plant.

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: ELIZABETH A TRACY
 615 ERIE BLVD WEST
 SYRACUSE, NY 13204-2400

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and
Determinations
Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department
Permit modifications, suspensions or revocations by the Department
Permit modifications, suspensions or revocations by the Department

Facility Level

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



DEC GENERAL CONDITIONS

****** General Provisions ******

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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



submitted prior to actual transfer of ownership.

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

Applicable State Requirement: 6 NYCRR 621.13

Item 1-1.1:

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

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

Condition 5: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 5.1:

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

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

Condition 4: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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

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



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

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

Condition 6: Submission of application for permit modification or renewal-REGION 7 HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 6.1:

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

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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261 WASHINGTON BLVD
OSWEGO, NY 13126

Facility: OSWEGO HARBOR POWER
261 WASHINGTON BLVD
OSWEGO, NY 13126

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

Mod 0 Permit Effective Date: 05/17/2010

Permit Expiration Date: 05/16/2015

Mod 1 Permit Effective Date: 05/16/2012

Permit Expiration Date: 05/16/2015



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 1-1 6 NYCRR 201-6.5 (a) (7): Fees
- 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
- 1-2 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (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
- 1-3 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 40 CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 1-4 6 NYCRR 211.1: Air pollution prohibited
- 25 6 NYCRR 225-1.8: Compliance Certification
- 26 6 NYCRR 227-1.3: Compliance Certification
- 27 6 NYCRR 243-1.6 (a): Permit Requirements
- 28 6 NYCRR 243-1.6 (b): Monitoring requirements
- 29 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
- 30 6 NYCRR 243-1.6 (d): Excess emission requirements
- 31 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
- 32 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
- 33 6 NYCRR 243-2.4: Certificate of representation
- 34 6 NYCRR 243-8.1: General requirements
- 35 6 NYCRR 243-8.5 (d): Quarterly reports
- 36 6 NYCRR 243-8.5 (e): Compliance certification
- 37 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General

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Conditions

- 38 6 NYCRR Subpart 244-2: Designated CAIR Representative
- 39 6 NYCRR Subpart 244-8: Compliance Certification
- 40 6 NYCRR Subpart 245-1: CAIR SO₂ Trading Program General Provisions
- 41 6 NYCRR Subpart 245-2: Designated CAIR Representative
- 42 6 NYCRR Subpart 245-8: Compliance Certification
- 43 40CFR 60, NSPS Subpart A: Compliance Certification
- 44 40 CFR Part 64: Compliance Certification
- 45 40 CFR Part 72: Compliance Certification

Emission Unit Level

- 46 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 47 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
- 48 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

EU=U-00005

- 49 6 NYCRR 207.3 (d): Episode action plans.
- 50 6 NYCRR 225-1.5: Compliance Certification
- 51 6 NYCRR 225-1.7 (c): Compliance Certification

EU=U-00005

- 52 6 NYCRR 227-1.2 (a) (1): Compliance Certification
- 53 6 NYCRR 227-2.5 (b): Compliance Certification
- 1-5 6 NYCRR 227-2.6: Compliance Certification
- 1-6 6 NYCRR 227-2.6: Compliance Certification
- 54 6 NYCRR 227-2.6: Compliance Certification
- 1-7 6 NYCRR 249.3 (a): Compliance Certification
- 1-8 6 NYCRR 249.3 (a): Compliance Certification
- 1-9 6 NYCRR 249.3 (a): Compliance Certification
- 1-10 6 NYCRR 249.3 (a): Compliance Certification
- 1-11 6 NYCRR 249.3 (f): Compliance Certification

EU=U-00005,EP=00005

- 57 6 NYCRR 227-1.3 (a): Compliance Certification
- 58 6 NYCRR 227-1.4 (b): Compliance Certification

EU=U-00006

- 59 6 NYCRR 207.3 (d): Episode action plans.
- 60 6 NYCRR 225-1.5: Compliance Certification
- 61 6 NYCRR 227-1.2 (a) (1): Compliance Certification
- 62 6 NYCRR 227-2.5 (b): Compliance Certification
- 1-12 6 NYCRR 227-2.6: Compliance Certification
- 1-13 6 NYCRR 227-2.6: Compliance Certification
- 63 6 NYCRR 227-2.6: Compliance Certification
- 1-14 6 NYCRR 249.3 (a): Compliance Certification
- 1-15 6 NYCRR 249.3 (a): Compliance Certification
- 1-16 6 NYCRR 249.3 (a): Compliance Certification
- 1-17 6 NYCRR 249.3 (a): Compliance Certification
- 1-18 6 NYCRR 249.3 (f): Compliance Certification
- 64 40CFR 60.43(a)(1), NSPS Subpart D: Compliance Certification
- 65 40CFR 60.44(a)(1), NSPS Subpart D: Compliance Certification
- 66 40CFR 60.44(a)(2), NSPS Subpart D: Compliance Certification

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67 40CFR 60.44(b), NSPS Subpart D: Compliance Certification

EU=U-00006,EP=00006

70 6 NYCRR 227-1.3 (a): Compliance Certification

71 6 NYCRR 227-1.4 (b): Compliance Certification

EU=U-00009

72 6 NYCRR 227-1.3: Compliance Certification

73 6 NYCRR 227-2.5 (b): Compliance Certification

EU=U-00009,Proc=P91

74 6 NYCRR 225-1.2 (d): Compliance Certification

75 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-00010

*76 6 NYCRR Subpart 201-7: Capping Monitoring Condition

*77 6 NYCRR Subpart 201-7: Capping Monitoring Condition

78 6 NYCRR 227-1.3: Compliance Certification

79 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification

EU=U-00010,Proc=GAS

80 6 NYCRR 227-2.4 (c) (2): Compliance Certification

EU=U-00010,Proc=OIL

81 6 NYCRR 227-2.4 (c) (2): Compliance Certification

82 6 NYCRR 227.2 (b) (1): Compliance Certification

83 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.

84 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.

85 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Certification

86 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.

87 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.

88 40CFR 60.45c(a), NSPS Subpart Dc: Compliance Certification

89 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.

90 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Certification

91 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Certification

92 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

93 ECL 19-0301: Contaminant List

94 6 NYCRR 201-1.4: Unavoidable noncompliance and violations

95 6 NYCRR 211.2: Air pollution prohibited

1-19 6 NYCRR 211.2: Visible Emissions Limited

96 6 NYCRR Part 242: Compliance Demonstration

Emission Unit Level

EU=U-00005

1-20 6 NYCRR 227-2.5 (b): Compliance Demonstration

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- 1-21 6 NYCRR 227-2.5 (c): Compliance Demonstration
- 1-22 6 NYCRR 227-2.5 (c): Compliance Demonstration

EU=U-00006

- 1-23 6 NYCRR 227-2.5 (b): Compliance Demonstration
- 1-24 6 NYCRR 227-2.5 (c): Compliance Demonstration
- 1-25 6 NYCRR 227-2.5 (c): Compliance Demonstration

EU=U-00009

- 1-26 6 NYCRR 227-2.5 (c): Compliance Demonstration

EU=U-00010

- 1-27 6 NYCRR 227-2.5 (c): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 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.

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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.

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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

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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

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(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 05/17/2010 and 05/16/2015

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 1-1: Fees
Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-1.1:

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

Condition 2: Fees
Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 2.1:

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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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

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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.

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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

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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 7/30/2010.

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

Condition 6: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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 anniversary date of four consecutive calendar quarters.

The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

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

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

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

The address for the RAPCE is as follows:

615 Erie Boulevard, West
Syracuse, NY 13204-2400

The address for the BCME is as follows:

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

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

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Effective between the dates of 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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 1-2: Open Fires - Prohibitions
Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 215.2

Item 1-2.1:

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 1-2.2

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

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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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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

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

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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

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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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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 05/17/2010 and 05/16/2015

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

Item 18.1:

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

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

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

Condition 1-3: Required Emissions Tests **Effective between the dates of 05/16/2012 and 05/16/2015**

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 1-3.1:

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 05/17/2010 and 05/16/2015**

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 05/17/2010 and 05/16/2015**

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)

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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 05/17/2010 and 05/16/2015

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:

- 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 05/17/2010 and 05/16/2015

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: Emission Unit Definition

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1(From Mod 1):

The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00005

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Emission Unit Description:

Emission Unit U00005 consists of one steam generator, Unit 5, a Foster Wheeler boiler that supplies steam to a 850 MW turbine. Unit 5 fires 1.5 wt% sulfur residual oil (the federally-enforceable limit is 2.0 wt% sulfur residual oil). Beginning January 1, 2014 the BART sulfur limit will be 0.75 wt% (0.80 lb SO₂/mmBtu). Particulate emissions are controlled with an electrostatic precipitator (S005C). NO_x emissions are controlled with overfire air and flue gas recirculation. Flue gas from Unit 5 is vented through the No. 5 stack (00005). Unit 5 can be started up on either distillate oil or natural gas.

Building(s): 1

Item 23.2(From Mod 1):

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

Emission Unit: U-00006

Emission Unit Description:

Emission Unit U00006 consists of one steam generator, Unit 6, that provides steam to a turbine capable of producing 850 MW net of electricity. This unit fires 0.75% sulfur residual oil and is capable of producing up to 245 MW by firing natural gas. The federally enforceable sulfur limit is 0.80 lbs SO₂/mmBtu which is equivalent to 0.75 wt% sulfur. Unit 6 is subject to 40 CFR Part 60, subpart D. Particulate emissions are controlled by an electrostatic precipitator (S006C). NO_x emissions are controlled by overfire air and flue gas recirculation. Natural gas or distillate oil may be used to ignite the boiler during startup.

Building(s): 1

Item 23.3(From Mod 1):

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

Emission Unit: U-00009

Emission Unit Description:

Emission Unit U00009 consists of a package boiler (Emission Source S0009) that is used for station heating. This unit is capable of firing either oil (residual and distillate) or natural gas. The maximum heat input is 78.3 mmBtu/hr when firing natural gas, and 74.9 mmBtu/hr when firing oil.

Building(s): 1

Item 23.4(From Mod 1):

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

Emission Unit: U-00010

Emission Unit Description:

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Emission Unit U00010 consists of a model D370 boiler, manufactured by Volcano. The boiler is equipped with low NOx burners and meets the NOx RACT control requirements found in 227-2.4(c)(i). This boiler can fire either distillate oil or natural gas. The rated heat input on gas is 90.5 mmBtu/hr; the rated heat input on oil is 87.2 mmBtu/hr.

Building(s): 1

Item 23.5(From Mod 0):

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

Emission Unit: U-00007

Emission Unit Description:

Emission Unit U00007 consists of storage tanks 1-4 (S00T1, S00T2, S00T3, and S00T4, respectively). The capacity of each oil tank is 16,254,000 gallons. The tanks are not subject to 6 NYCRR Part 229 or 40 CFR 60 Subparts K, Ka, or Kb. The tanks are equipped with carbon adsorbers (S0T1C, S0T2C, S0T3C, and S0T4C) for odor control.

Item 23.6(From Mod 0):

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

Emission Unit: U-00008

Emission Unit Description:

Emission Source U00008 is the feeder, on the waste water treatment plant (S0008), that delivers a caustic or lime solution.

Building(s): 2

Condition 24: Non Applicable requirements

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 24.1:

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 1-4: Air pollution prohibited

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 211.1

Item 1-4.1:

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

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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 25: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 225-1.8

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

- a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or sold;
- b. the names of all purchasers of all residual and distillate oil and coal sold;
- c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 26: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015



Applicable Federal Requirement:6 NYCRR 227-1.3

Item 26.1:

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

Emission Unit: U-00005

Emission Unit: U-00006

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. Objective

The purpose of this permit condition is to continue the Oswego Harbor Power (hereafter Oswego or Station) Opacity Reduction Program established in the previous opacity Consent Order (Case No. CO-7-19990722-26). At all times, including periods of startup, shutdown and malfunction, the Station shall maintain and operate the facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

2. Exempt and Excusable Activities

During no fire activities, facility operators must make reasonable efforts to control opacity, and must document any excess opacity emission incidents in accordance with the methods specified in this permit condition. The term "reasonable efforts" includes but is not limited to pre and post cleaning of equipment as necessary to minimize dust entrainment.

In addition to the specific category of excused excess opacity emission incidents described above, there may be other excess opacity emission incidents that are determined to be unavoidable. In accordance with the requirements of 6 NYCRR 201-1.4, in order to be eligible for any claim that an excess opacity emission incident was unavoidable, including those attributable to startup, shutdown or malfunction, the Station shall report such incident by telephone, email or fax to the Regional Air Pollution Control Engineer as soon as possible after the occurrence of the incident, during normal working hours, but in no event shall such report be made any later than two (2) working days after the occurrence of the incident. Within two (2) working days of the initial report, The



Respondent shall submit a written report, by mail, fax or email, to the Commissioner's representative, describing the incident in detail. Such description shall include but shall not be limited to the time and duration of the incident, the reason(s) for its occurrence, why the occurrence was unavoidable, and the corrective action(s) taken in response.

3. Opacity Incident Reporting ("OIR")

The station shall maintain an OIR log for recording relevant equipment and operational information for each excess opacity emission incident. An excess opacity emission incident is defined as one or more six-minute periods in which the average opacity exceeds 20%, except for one six-minute period per hour of not more than 27%, which are caused by the same set of circumstances. The OIR log shall be completed before the end of each operating shift and shall at a minimum include the following categories of information:

- a. identification of the process and/or equipment involved;
- b. the excess opacity emission incident start time;
- c. the six-minute average opacity measurements during the excess opacity emissions incident
- d. the mode of operation (for example, cold startup);
- e. a description of the excess opacity emission incident and, as necessary, a sequence of all events that led up to/caused the incident(s);
- f. a description of the preliminary cause of the excess opacity emission incident;
- g. the corrective action taken, together with the date and time of same;
- h. the result(s) of the corrective action taken;
- I. The excess opacity emissions incident end time; and
- j. the status of air cleaning equipment, including but not limited to precipitator voltage or amperage.

OIR logs shall be maintained by the Station for a period of five years and shall be made available for inspection



by the Department on demand. The information contained within the OIR logs shall form the basis for more detailed root cause analysis, as set forth in item 5 of the Opacity Reduction Program, which will then be used to determine what type of excess opacity emission incidents are unavoidable, if any, and the corrective actions, design modifications and project/program development and implementation that may be appropriate to eliminate future opacity incidents.

4. Excess Emissions and Monitoring System Performance Reporting

The Station shall submit an accurate excess opacity emission incident and monitoring system performance report for each calendar year quarter in accordance with the requirements of 6NYCRR 227-1.4. All report shall be certified by a responsible corporate official as true, accurate and complete, and shall be postmarked by the 60th day following the end of each calendar quarter. Each report shall contain the following:

- a. a summary page providing the total number of exceedences; total number of unexcused exceedences; monitor down time expressed as percentage of operating time; compliance rates, based on both total reported and unexcused exceedences expressed (to the hundredth) as a percentage of operating time;
- b. the magnitude, date and time of each six-minute block average during which the average opacity of emissions exceeds 20 percent, except for one six-minute block average per hour not to exceed 27 percent;
- c. for each excess opacity emission incident, specific identification of the cause and corrective action taken;
- d. identification of all periods of COMS down time, including the date, time and duration of each inoperable period, and the cause(s) and corrective action (s) for each period of COMS down time;
- e. the total time in which the COMS are required to record data during the reporting period ("time combustion installation is in service"); and
- f. the total number of excess opacity emission incidents and the duration of said incidents expressed as a percentage of the total time in which the COMS are required to record data.



5. Root Cause Analysis and Corrective Actions

The Station shall identify the causes of excess opacity emission incidents by means of root cause analysis. By April 15 of each calendar year, the quarterly opacity reports from the prior calendar year shall be reviewed to identify any consistent patterns for excess opacity emissions incidents and to determine if past corrective actions have resulted in improvements. Excess opacity emission incident patterns that are identified shall be investigated. Corrective actions (e.g., revised maintenance procedures, equipment upgrades, etc.) shall be developed and an implementation schedule for each corrective actions submitted to the Department by June 15 of each year, for the Department's approval. The Station may proceed with the proposed corrective actions implementation schedule upon the Department's written notice of approval of such schedule. If the Department fails to issue written notice of approval or objection to the proposed corrective actions implementation schedule it shall be deemed approved by the 15th day after receipt of the proposed schedule and the Station may proceed with the corrective actions implementation schedule on the 15th day after the Department received the proposed schedule. A report detailing the progress of the approved corrective action implementation schedule shall be submitted to the Department on a semi-annual basis, with each Respondent's Title V semi-annual compliance monitoring report.

The existence of the above Opacity Reduction Program does not relieve the Station from complying with the opacity limits for unexcused occurrences. Each unexcused occurrence may be subject to enforcement action.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 27: Permit Requirements
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 243-1.6 (a)

Item 27.1:

The CAIR designated representative of each CAIR NOx Ozone Season source shall:

- (i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
- (ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

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The owners and operators of each CAIR NO_x Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.

Condition 28: Monitoring requirements

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-1.6 (b)

Item 28.1:

The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NO_x Ozone Season source with the CAIR NO_x Ozone Season emissions limitation under subdivision (c) of this section.

Condition 29: NO_x Ozone Season Emission Requirements

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-1.6 (c)

Item 29.1:

As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NO_x ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

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

CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

A CAIR NO_x Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under section 243-1.5 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

A CAIR NO_x Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation,

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transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Condition 30: Excess emission requirements
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-1.6 (d)

Item 30.1:

If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

- (1) the owners and operators of the source and each CAIR NOx Ozone Season unit at the source shall surrender the CAIR NOx Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and
- (2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

Condition 31: Recordkeeping and reporting requirements
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-1.6 (e)

Item 31.1:

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

- (i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NOx Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.
- (ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year period shall apply.
- (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Ozone Season Trading Program.
- (iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Ozone Season Trading Program.

Condition 32: Authorization and responsibilities of CAIR designated

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representative

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-2.1

Item 32.1:

Except as provided under section 243-2.2, each CAIR NOx Ozone Season source, including all CAIR NOx Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NOx Ozone Season Trading Program concerning the source or any CAIR NOx Ozone Season unit at the source.

The CAIR designated representative of the CAIR NOx Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NOx Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx Ozone Season source represented and each CAIR NOx Ozone Season unit at the source in all matters pertaining to the CAIR NOx Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

No CAIR permit will be issued, no emissions data reports will be accepted, and no CAIR NOx Ozone Season Allowance Tracking System account will be established for a CAIR NOx Ozone Season unit at a source, until the Administrator has received a complete certificate of representation under section 243-2.4 for a CAIR designated representative of the source and the CAIR NOx Ozone Season units at the source.

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

Condition 33: Certificate of representation

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-2.4

Item 33.1:

Unless otherwise required by the department or the Administrator, documents of agreement

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referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

Condition 34: General requirements

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 34.1:

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NOx Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NOx Ozone Season unit shall:

- (1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph (a)(1) of this section; and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

Condition 35: Quarterly reports

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 243-8.5 (d)

Item 35.1:

The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NOx Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NOx emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NOx mass emissions) for such unit for the entire year and shall report the NOx mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar

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quarter beginning with:

(i) for a unit that commences commercial operation before July 1, 2007, the calendar quarter covering May 1, 2008 through June 30, 2008;

(ii) for a unit that commences commercial operation on or after July 1, 2007, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 243-8.1(b), unless that quarter is the third or fourth quarter of 2007 or the first quarter of 2008, in which case reporting shall commence in the quarter covering May 1, 2008 through June 30, 2008.

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

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

Condition 36: Compliance certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 243-8.5 (e)

Item 36.1:

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

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

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

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO_x emission rate and NO_x concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO_x emissions.

Condition 37: CAIR NO_x Annual Trading Program General Conditions
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR Subpart 244-1

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Item 37.1:

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

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

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

4) Unless otherwise provided, the owners and operators of the CAIR NO_x source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

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

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

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

Condition 38: Designated CAIR Representative
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR Subpart 244-2

Item 38.1:

1) Each Clean Air Interstate Rule (CAIR) NO_x source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NO_x Annual Trading Program. The CAIR designated

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

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

Condition 39: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR Subpart 244-8

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOx emissions

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

(2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic



quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

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

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

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

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

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

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be

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substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

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

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 40: CAIR SO2 Trading Program General Provisions
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 40.1:

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source. A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in

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a calendar year before the year for which the CAIR SO₂ allowance was allocated.
[(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

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

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

4) Unless otherwise provided, the owners and operators of the CAIR SO₂ source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.

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

Condition 41: Designated CAIR Representative

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-2

Item 41.1:

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

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owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.
[245-2.1(a), (b) & (c)]

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

Condition 42: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-8

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO₂ emissions:

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



unit. [245-8.1]

2)The owner or operator of each CAIR SO₂ unit shall:

[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO₂ mass emissions and individual unit heat input (including all systems required to monitor SO₂ concentration, stack gas moisture content, stack gas flow rate, CO₂ or O₂ concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and

(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates.

The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.

[245-8.1(b)]

(i) For the CAIR SO₂ unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO₂ unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO₂ mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission



monitoring system that require recertification include:
replacement of the analyzer, complete replacement of an
existing continuous emission monitoring system, or change
in location or orientation of the sampling probe or site.
Any fuel flowmeter system under section 245-8.1(a)(1) is
subject to the recertification requirements in 40 CFR
75.20(g)(6). [245-8.2(d)(2)]

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

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

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

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

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

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

10) The CAIR designated representative shall submit each

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

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

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

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

ii) for a unit with add-on SO₂ emission controls and for all hours where SO₂ data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO₂ emissions.

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 43: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 43.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00006

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Emission Unit: U-00010

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as applicable under 40 CFR 75, Emission Units U00006 and U00010 are subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative, monitoring and reporting requirements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 44: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:40 CFR Part 64

Item 44.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00005

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This facility owner/operator is required to apply Compliance Assurance Monitoring (CAM) to Units 5 and 6 in regard to particulate emissions. A CAM plan was submitted with the Title V renewal application for this facility. The Department approves of the terms and implementation of the submitted CAM plan. CAM must be implemented in accordance with the approved plan upon issuance of this permit.

Should the Department deem it necessary to have changes made to the CAM plan, such changes shall be made and implemented by the facility owner/operator within the timeframes specified by the Department. The facility

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owner/operator may also submit, for Department review and approval, changes to the CAM plan. Approved changes to the CAM plan must be implemented within the timeframes established by the Department.

Should the Department determine that a Quality Improvement Plan (QIP) is required, the facility owner operator shall develop and implement such plan within the timeframes established by the Department. Should the Department deem it necessary to have changes made to a developed QIP, such changes shall be made and implemented by the facility owner/operator within the timeframes specified by the Department. The facility owner/operator may also submit, for Department review and approval, changes to the QIP plan. Approved changes to the QIP must be implemented within the timeframes established by the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 45: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:40 CFR Part 72

Item 45.1:

The Compliance Certification activity will be performed for the Facility.

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission Unit 00005 (Boilers 3 and 5) and Emission Unit 00006 are affected units under the Acid Rain Program. Boilers 1, 2 and 4 are retired units under 40 CFR Part 72.8. The owners must comply with the Title IV Acid Rain Permit including all monitoring and reporting requirements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 46: Emission Point Definition By Emission Unit

Effective between the dates of 05/17/2010 and 05/16/2015



Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 46.1(From Mod 0):

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

Emission Unit: U-00005

Emission Point: 00005

Height (ft.): 700

Diameter (in.): 360

NYTMN (km.): 4812.823 NYTME (km.): 376.231

Item 46.2(From Mod 0):

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

Emission Unit: U-00006

Emission Point: 00006

Height (ft.): 700

Diameter (in.): 288

NYTMN (km.): 4812.823 NYTME (km.): 376.231

Item 46.3(From Mod 0):

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

Emission Unit: U-00007

Emission Point: 000T1

Height (ft.): 10

Diameter (in.): 17

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Emission Point: 000T2

Height (ft.): 10

Diameter (in.): 17

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Emission Point: 000T3

Height (ft.): 10

Diameter (in.): 17

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Emission Point: 000T4

Height (ft.): 10

Diameter (in.): 17

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Item 46.4(From Mod 0):

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

Emission Unit: U-00008

Emission Point: 00008

Height (ft.): 65

Diameter (in.): 25

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Item 46.5(From Mod 0):

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

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Emission Unit: U-00009

Emission Point: 00009

Height (ft.): 134

Diameter (in.): 41

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Item 46.6(From Mod 0):

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

Emission Unit: U-00010

Emission Point: 00010

Height (ft.): 200

Diameter (in.): 42

NYTMN (km.): 4812.823 NYTME (km.): 376.231 Building: 1

Condition 47: Process Definition By Emission Unit

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 47.1(From Mod 1):

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

Emission Unit: U-00005

Process: P51

Source Classification Code: 1-01-004-01

Process Description:

Process identification number P51 designates residual and distillate oil firing in Unit 5.

Emission Source/Control: S0005 - Combustion

Design Capacity: 7,840 million Btu per hour

Emission Source/Control: S005C - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Item 47.2(From Mod 1):

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

Emission Unit: U-00005

Process: P52

Source Classification Code: 1-01-006-01

Process Description:

Process identification number P52 designates natural gas firing in Unit 5.

Emission Source/Control: S0005 - Combustion

Design Capacity: 7,840 million Btu per hour

Item 47.3(From Mod 1):

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

Emission Unit: U-00006

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Process: P61

Source Classification Code: 1-01-004-01

Process Description:

Process identification number P61 designates residual oil firing in Unit 6. The boiler is subject to 40 CFR 60 Subpart D (NSPS). This process also allows co-firing of natural gas in the boiler.

Emission Source/Control: S0006 - Combustion

Design Capacity: 7,840 million Btu per hour

Emission Source/Control: S006C - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Item 47.4(From Mod 1):

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

Emission Unit: U-00006

Process: P62

Source Classification Code: 1-01-006-01

Process Description:

Process identification number P62 designates natural gas firing in Unit 6. This boiler is subject to 40 CFR 60 Subpart D (NSPS).

Emission Source/Control: S0006 - Combustion

Design Capacity: 7,840 million Btu per hour

Item 47.5(From Mod 1):

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

Emission Unit: U-00009

Process: P91

Source Classification Code: 1-02-006-02

Process Description:

Process identification number P91 identifies oil (residual and distillate) combustion in the Zurn package boiler.

Emission Source/Control: S0009 - Combustion

Design Capacity: 78.3 million Btu per hour

Item 47.6(From Mod 1):

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

Emission Unit: U-00009

Process: P92

Source Classification Code: 1-02-005-01

Process Description:

Process identification number P92 identifies natural gas combustion in the Zurn package boiler.

Emission Source/Control: S0009 - Combustion

Design Capacity: 78.3 million Btu per hour

Item 47.7(From Mod 1):

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

Emission Unit: U-00010

Process: GAS

Source Classification Code: 1-01-007-02

Process Description:

This process allows the use of natural gas to be fired in the Volcano D3 70 unit.

Emission Source/Control: S0010 - Combustion

Item 47.8(From Mod 1):

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

Emission Unit: U-00010

Process: OIL

Source Classification Code: 1-01-007-02

Process Description:

This process allows the use of distillate oil to be fired in the Volcano D3 70 unit.

Emission Source/Control: S0010 - Combustion

Item 47.9(From Mod 0):

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

Emission Unit: U-00007

Process: PT1

Source Classification Code: 3-90-900-06

Process Description:

Process PT1 identifies storing residual oil in Storage Tank #1 with a capacity of 16,254,000 gallons.

Emission Source/Control: S0T1C - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: S00T1 - Process

Design Capacity: 16,254 1000 gallons

Item 47.10(From Mod 0):

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

Emission Unit: U-00007

Process: PT2

Source Classification Code: 3-90-900-06

Process Description:

Process PT2 identifies storing residual oil in Storage Tank #2 with a capacity of 16,254,000 gallons.

Emission Source/Control: S0T2C - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: S00T2 - Process

Design Capacity: 16,254 1000 gallons

Item 47.11(From Mod 0):

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

Emission Unit: U-00007

Process: PT3

Source Classification Code: 3-90-900-06

Process Description:

Process PT3 identifies storing residual oil in Storage
Tank #3 with a capacity of 16,254,000 gallons.

Emission Source/Control: S0T3C - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: S00T3 - Process

Design Capacity: 16,254 1000 gallons

Item 47.12(From Mod 0):

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

Emission Unit: U-00007

Process: PT4

Source Classification Code: 3-90-900-06

Process Description:

Process PT4 identifies storing residual oil in Storage
Tank #4 with a capacity of 16,254,000 gallons.

Emission Source/Control: S0T4C - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: S00T4 - Process

Design Capacity: 16,254 1000 gallons

Item 47.13(From Mod 0):

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

Emission Unit: U-00008

Process: PLS

Source Classification Code: 3-05-104-96

Process Description:

Process PLS identifies the lime feeder process at the
water treatment plant.

Emission Source/Control: S0008 - Process

Condition 48: Emission Unit Permissible Emissions

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 48.1:

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: U-00010

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CAS No: 007446095 (From Mod 1)
Name: SULFUR DIOXIDE
PTE(s): 78,000 pounds per year

CAS No: 0NY210000 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 78,000 pounds per year

Condition 49: Episode action plans.
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 207.3 (d)

Item 49.1:
This Condition applies to Emission Unit: U-00005

Item 49.2:
Any person who owns an air contamination source for which an episode action plan has been issued or approved shall take whatever actions are prescribed by this episode action plan when an air pollution episode is in effect.

Condition 50: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 225-1.5

Item 50.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00005

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

Item 50.2:
Compliance Certification shall include the following monitoring:

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

Title 6 NYCRR Part 225-1.2 limits the sulfur content of the fuel oil burned in this facility to no greater than 1.5% sulfur, by weight. (This limit is state-enforceable only. The federally applicable limit is 2.0% sulfur by weight.) Pursuant to Title 6 NYCRR Part 225-1.5(b), the owners and operators of this unit will comply with an equivalent emissions limit, 1.6 lb SO₂/mmBtu based on a 3 hour rolling average. (The applicable federally-enforceable limit will be 2.1 lb SO₂/mmBtu.) Oswego Harbor Power LLC may use fuels with a sulfur content greater than that allowed provided they are either blended down to a lower sulfur content and/or co-fired

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with other fuels allowing total heat input of all fuels combined to determine compliance. SO₂ emissions will be monitored and recorded continuously using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75 and the Acid Rain CEM monitoring Plan. The bias factors need not be applied to the SO₂ emissions rate determination.

Pursuant to Part 225, the owners and operators of this unit must report to the DEC emissions of SO₂ on a calendar quarter basis. Such reports must be submitted in a format acceptable to the Department no later than 30 days after the end of each quarter. For each period when emissions exceed the allowable limit, the owners and operators must report the magnitude of the exceedance, the duration of the exceedance, the cause of the exceedance and the corrective action taken to correct the exceedance. The owners and operators of this unit must report to the Department, no later than 30 days after the end of each calendar quarter, the availability of the monitoring systems in a format acceptable to the Department.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 1.6 pounds per million Btus

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 51: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 51.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00005

Emission Unit: U-00006

Emission Unit: U-00009

Emission Unit: U-00010

Item 51.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 52: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 000000-00-0 PARTICULATES

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million BTU heat input from any combustion installation with a maximum heat input exceeding 250 million Btu per hour using oil.

A particulate emissions test shall be conducted once per permit term using 40 CFR Part 60, Appendix A, Method 5.

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: METHOD 5 OR OTHER

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

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Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 53: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 227-2.5(b) allows system-wide NO_x averaging.

Oswego Harbor Power must comply with the Btu weighted NRG system-wide averaging plan dated February 24, 2000.

Pursuant to Part 227-2.6(b)(5), Oswego Harbor Power will use continuous emission monitors to certify compliance.

The CEMs must be installed, operated and maintained in accordance with 40 CFR Part 75.

During the ozone season, May 1 - September 15, compliance must be demonstrated on a 24 hour average. During all other times, compliance will be on a 30 day rolling average.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 1-5: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 227-2.6

Item 1-5.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 1-5.2:

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This condition is valid on and after July 1, 2014.

the owner and operator of an emission source must:

(a) calculate all 24-hour daily heat input-weighted average NOx emission rates from block hourly arithmetic emission rate averages calculated by the CEMS and expressed in terms of pounds of NOx per million Btu;

(b) demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart by using a CEMS for measuring NOx and calculating a 24-hour daily heat input-weighted average NOx emission rate. Facilities that are subject to 40 CFR part 75 will calculate their NOx emission rate using part 75 monitoring requirements. Facilities that are not subject to 40 CFR part 75 may calculate their NOx emission rate using either 40 CFR part 60, appendix A, method 19 or 40 CFR part 75. A 30-day rolling heat input-weighted average emission rate may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1st to April 30th for emission sources other than combustion turbines; and

(c) determine the 24-hour daily heat input-weighted average NOx emission rate based on the heat input-weighted average of the block hourly arithmetic average emission rates during each 24-hour daily period from 12:00 AM to 12:00 AM the following day using CEMS data. The block hourly heat input-weighted average emission rate must be calculated for each one-hour period starting with the period 12:00 AM to 1:00 AM and continuing through until the last period 11:00 PM to 12:00 AM; or, starting with the period 12:00 PM to 1:00 PM and continuing through the last period 11:00 AM to 12:00 PM. The 30-day rolling heat input-weighted average must be the average of the 24-hour daily heat input-weighted NOx emission rate.

(i) At a minimum, valid CEMS data must be obtained for 90 percent of the operating hours in each calendar quarter that the subject facility is operating.

(ii) All valid CEMS data must be used in calculating emission rates even if the minimum data requirements of subparagraph (i) of this paragraph are not met.

(iii) The procedures under 40 CFR part 60, appendix B, Performance Specification 2; and any additional criteria



specified by the department must be followed for the installation, evaluation, and operation of the CEMS.

(iv) Along with any specific additional data requirements mandated by the department for a particular emission source, annual recertifications, quarterly accuracy, and daily calibration drift tests must be performed in accordance with 40 CFR part 60, appendix F or 40 CFR part 75, as applicable.

(v) When NO_x emissions data are not obtained because of CEMS downtime, emission data shall be obtained by using the 90th percentile value of all CEMS NO_x emission data collected over the last 180 days. Alternatively the owner or operator of a facility subject to part CFR 75 may use 40 CFR part 75 data substitution procedures for periods when no valid CEMS data is available.

(4) CEMS recordkeeping and reporting requirements.

(i) The owner or operator of an emission source must notify the department of the planned initial start-up date of any new CEMS.

(ii) Protocols, reports, summaries, compliance plans and schedules, and any other information required to be submitted to the department under provisions of this Subpart must be sent (in either hardcopy or electronically) as follows:

(a) one copy to the Division of Air Resources, New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12233; and

(b) one copy to the regional air pollution control engineer at the appropriate regional office of the department.

(iii) Emissions, monitoring, and operating parameter records or measurements required by this Subpart, quarterly and annual summaries, and any additional parameters required by the department must be maintained for at least five years and made available to the department upon request.

(iv) Following each calendar quarter, the owner or operator must tabulate and summarize applicable emissions, monitoring, and operating parameter measurements recorded during the preceding three months (including but not limited to type and amount of fuel burned on a daily basis, heat content of the fuel, total heating value of

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the fuel consumed on a daily basis, the actual NOx emission rate, the allowable NOx emission rate, and the summation of the emission sources included in a system averaging plan). These records must be submitted to the department within 30 days following the end of each calendar quarter in a format acceptable to the department and must include:

- (a) the average NOx emission rates as specified under paragraph (3) of this subdivision. (With the exception of emission sources subject to paragraph (a)(4) of this Section, emission sources are to record and tabulate block hourly average emission rates, but do not need to included the block hourly average emission rates in the quarterly summaries);
- (b) identification of the operating hours when NOx emissions data are not included in the calculation of the average emission rate and the reasons for not including that data; and
- (c) the results of accuracy assessments as required by 40 CFR part 60, appendix F and any additional data quality information required by the department.
- (v) The owner or operator of an emission source must submit the initial compliance test data, the performance evaluation of the CEMS found in 40 CFR part 60, appendix B, and the maximum heat input capacity.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-6: Compliance Certification
Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 227-2.6

Item 1-6.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 1-6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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This permit condition is valid through June 30, 2014.

The owners and operators of this emission unit must monitor NO_x emissions using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75. Bias factors required under Part 75 are not required when determining compliance. Hourly emissions and heat input must be used to compute BTU-weighted 24 hour block averages or 30 - day rolling averages. During periods of CEM downtime, emissions data substituted pursuant to 40 CFR Part 75, Subpart D and Appendix C will not be used for purposes of NO_x RACT compliance.

Emissions reports must be submitted no later than 30 days after the end of the calendar quarter. Such reports shall be in a format acceptable to the Department.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2012.
Subsequent reports are due every 3 calendar month(s).

Condition 54: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 227-2.6

Item 54.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owners or operators of this Unit 5 must monitor NO_x emissions using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75. Bias factors required under Part 75 are not required when determining compliance. Hourly emissions and heat input must be used to compute BTU-weighted 24 hour block averages or 30 - day rolling averages. During periods of CEM downtime, emissions data substituted pursuant to 40 CFR Part 75, Subpart D and Appendix C will not be used for purposes of NO_x RACT compliance.

The procedures of 40 CFR Part 75, Appendix E will be used

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to assess compliance with the NO_x RACT regulations for Unit 3, provided the owners and operators have an approved Acid Rain CEM Monitoring plan from EPA.

Emissions reports must be submitted no later than 30 days after the end of the calendar quarter. Such reports shall be in a format acceptable to the Department.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 1-7: Compliance Certification
Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (a)

Item 1-7.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

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

Item 1-7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

This Unit is subject to the BART regional haze requirements. As a result of the required BART analysis, the current level of particulate control (ESP in its current configuration) has been determined to meet the BART requirements. Other conditions in this permit containing particulate (6 NYCRR Part 227-1.2(a)(1) particulate matter emissions limited to 0.10 lb/mmBtu) requirements and opacity (6 NYCRR Part 227-1.3 opacity limited to 20% based on a six-minute average period, except for one six-minute period per hour of not more than 27%) requirements will be used to ensure compliance for the current control technology. Monitoring and reporting shall also be performed as per these other permit conditions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-8: Compliance Certification

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Applicable Federal Requirement:6 NYCRR 249.3 (a)

Item 1-8.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 1-8.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The owners and operators of this facility shall not purchase or obtain any fuel oil, for burning in this unit, that has a sulfur content exceeding 0.5 wt%. Exempted from this condition is any oil that was onsite or at the South Oswego Terminal facility (ID # 7-3542-00024) as of August 4, 2010.

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-9: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 249.3 (a)

Item 1-9.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 1-9.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This Unit is subject to the BART regional haze requirements. As a result of the required BART analysis, a limit for SO₂ emissions has been established.

On and after January 1, 2014, this Emission unit is limited to burning fuel with a sulfur content of no more than 0.75 wt%. The owners and operators of this unit will comply with an equivalent emissions limit, 0.80 lb SO₂/mmBtu based on a 3-hour rolling average.

SO₂ emissions will be monitored and recorded continuously using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75 and the Acid Rain CEM monitoring Plan. The bias factors need not be applied to the SO₂ emissions rate determination.

The owners and operators of this unit must report to the DEC emissions of SO₂ on a calendar quarter basis. Such reports must be submitted in a format acceptable to the Department no later than 30 days after the end of each quarter. For each period when emissions exceed the allowable limit, the owners and operators must report the magnitude of the exceedance, the duration of the exceedance, the cause of the exceedance and the corrective action taken to correct the exceedance.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 0.80 pounds per million Btus

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-10: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (a)

Item 1-10.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

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Item 1-10.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This Unit is subject to the BART regional haze requirements. As a result of the required BART analysis, a determination was made that an economically feasible control option, beyond current control, does not exist for this unit as it currently operates. An emission limitation has been established below the threshold that would make an additional control option economically feasible. This emission limitation has also been established to cover the economic feasibility threshold for the 6 NYCRR Part 227-2 NOx RACT control requirements that are required to be in place by July 1, 2014.

On and after January 1, 2014, this Emission unit is limited to emitting no more than 383 tons of NOx per year, based on a 12 month rolling total. The owners and operators of this emission unit shall calculate monthly and 12 month totals for each calendar month. The CEM data already required to be recorded for this emission unit shall be used to calculate the monthly and 12 month totals.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 383 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-11: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (f)

Item 1-11.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 1-11.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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The permit conditions (including monitoring and reporting) in this permit for NO_x, SO₂, and/or PM₁₀ established under Part 249, are based on New York's Best Available Retrofit Technology (BART) Rule (6 NYCRR Part 249), are effective on the date of this permit's issuance, and are state-enforceable. Federal enforceability of these facility-specific permit conditions is effective on the date on which the requirements contained in these permit conditions, as submitted to EPA as a revision to New York State's Implementation Plan for Regional Haze, are published in the Federal Register.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 57: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Emission Point: 00005

Item 57.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 58: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

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Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Emission Point: 00005

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;
- 4) Total time the COMS is required to record data during the reporting period;
- 5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and
- 6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 59: Episode action plans.

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 207.3 (d)

Item 59.1:

This Condition applies to Emission Unit: U-00006

Item 59.2:

Any person who owns an air contamination source for which an episode action plan has

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been issued or approved shall take whatever actions are prescribed by this episode action plan when an air pollution episode is in effect.

Condition 60: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 225-1.5

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Title 6 NYCRR Part 225-1.2 limits the sulfur content of the fuel oil burned in this facility to no greater than 0.75% sulfur, by weight. Pursuant to Title 6 NYCRR Part 225-1.5(b), the owners and operators of this unit will comply with an equivalent emissions limit, 0.80 lb SO₂/mmBtu based on a 3 hour rolling average. Oswego Harbor Power LLC may use fuels with a sulfur content greater than that allowed provided they are either blended down to a lower sulfur content and/or co-fired with other fuels allowing total heat input of all fuels combined to determine compliance. SO₂ emissions will be monitored and recorded continuously using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75 and the Acid Rain CEM monitoring Plan. The bias factors need not be applied to the SO₂ emissions rate determination.

Pursuant to Part 225, the owners and operators of this unit must report to the DEC emissions of SO₂ on a calendar quarter basis. Such reports must be submitted in a format acceptable to the Department no later than 30 days after the end of each quarter. For each period when emissions exceed the allowable limit, the owners and operators must report the magnitude of the exceedance, the duration of the exceedance, the cause of the exceedance and the corrective action taken to correct the exceedance. The owners and operators of this unit must report to the Department, no later than 30 days after the end of each calendar quarter, the availability of the monitoring systems in a format acceptable to the Department.

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Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.8 pounds per million Btus
Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR BLOCK AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 61: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):
CAS No: 000000-00-0 PARTICULATES

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Pursuant to 6 NYCRR 227-1 and 40 CFR 60.42(a)(1), no person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million BTU heat input from any combustion installation with a maximum heat input exceeding 250 million Btu per hour using oil.

A particulate emissions test shall be conducted once per permit term using 40 CFR Part 60, Appendix A, Method 5.

Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: METHOD 5 OR OTHER
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 62: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

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Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 227-2.5(b) allows system-wide NOx averaging. Oswego Harbor Power must comply with the Btu weighted NRG system-wide averaging plan dated February 24, 2000. Oswego Harbor Power will use continuous emission monitors to certify compliance. The CEMs must be installed, operated and maintained in accordance with 40 CFR Part 75.

During the ozone season, May 1 - September 15, compliance must be demonstrated on a 24 hour average. During all other times, compliance will be on a 30 day rolling average.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 1-12: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 227-2.6

Item 1-12.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Item 1-12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This permit condition is valid through June 30, 2014.

The owners and operators of this emission unit must

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monitor NOx emissions using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75. Bias factors required under Part 75 are not required when determining compliance. Hourly emissions and heat input must be used to compute BTU-weighted 24 hour block averages or 30 - day rolling averages. During periods of CEM downtime, emissions data substituted pursuant to 40 CFR Part 75, Subpart D and Appendix C will not be used for purposes of NOx RACT compliance.

Emissions reports must be submitted no later than 30 days after the end of the calendar quarter. Such reports shall be in a format acceptable to the Department.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-13: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 227-2.6

Item 1-13.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Item 1-13.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This condition is valid on and after July 1, 2014.

the owner and operator of an emission source must:

(a) calculate all 24-hour daily heat input-weighted average NOx emission rates from block hourly arithmetic emission rate averages calculated by the CEMS and expressed in terms of pounds of NOx per million Btu;

(b) demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart by using a CEMS for measuring NOx and calculating a 24-hour daily heat input-weighted average NOx emission rate. Facilities that are subject to 40 CFR part 75 will calculate their NOx emission rate using part 75 monitoring requirements.



Facilities that are not subject to 40 CFR part 75 may calculate their NO_x emission rate using either 40 CFR part 60, appendix A, method 19 or 40 CFR part 75. A 30-day rolling heat input-weighted average emission rate may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1st to April 30th for emission sources other than combustion turbines; and

(c) determine the 24-hour daily heat input-weighted average NO_x emission rate based on the heat input-weighted average of the block hourly arithmetic average emission rates during each 24-hour daily period from 12:00 AM to 12:00 AM the following day using CEMS data. The block hourly heat input-weighted average emission rate must be calculated for each one-hour period starting with the period 12:00 AM to 1:00 AM and continuing through until the last period 11:00 PM to 12:00 AM; or, starting with the period 12:00 PM to 1:00 PM and continuing through the last period 11:00 AM to 12:00 PM. The 30-day rolling heat input-weighted average must be the average of the 24-hour daily heat input-weighted NO_x emission rate.

(i) At a minimum, valid CEMS data must be obtained for 90 percent of the operating hours in each calendar quarter that the subject facility is operating.

(ii) All valid CEMS data must be used in calculating emission rates even if the minimum data requirements of subparagraph (i) of this paragraph are not met.

(iii) The procedures under 40 CFR part 60, appendix B, Performance Specification 2; and any additional criteria specified by the department must be followed for the installation, evaluation, and operation of the CEMS.

(iv) Along with any specific additional data requirements mandated by the department for a particular emission source, annual recertifications, quarterly accuracy, and daily calibration drift tests must be performed in accordance with 40 CFR part 60, appendix F or 40 CFR part 75, as applicable.

(v) When NO_x emissions data are not obtained because of CEMS downtime, emission data shall be obtained by using the 90th percentile value of all CEMS NO_x emission data collected over the last 180 days. Alternatively the owner or operator of a facility subject to part CFR 75 may use 40 CFR part 75 data substitution procedures for periods when no valid CEMS data is available.



(4) CEMS recordkeeping and reporting requirements.

(i) The owner or operator of an emission source must notify the department of the planned initial start-up date of any new CEMS.

(ii) Protocols, reports, summaries, compliance plans and schedules, and any other information required to be submitted to the department under provisions of this Subpart must be sent (in either hardcopy or electronically) as follows:

(a) one copy to the Division of Air Resources, New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12233; and

(b) one copy to the regional air pollution control engineer at the appropriate regional office of the department.

(iii) Emissions, monitoring, and operating parameter records or measurements required by this Subpart, quarterly and annual summaries, and any additional parameters required by the department must be maintained for at least five years and made available to the department upon request.

(iv) Following each calendar quarter, the owner or operator must tabulate and summarize applicable emissions, monitoring, and operating parameter measurements recorded during the preceding three months (including but not limited to type and amount of fuel burned on a daily basis, heat content of the fuel, total heating value of the fuel consumed on a daily basis, the actual NO_x emission rate, the allowable NO_x emission rate, and the summation of the emission sources included in a system averaging plan). These records must be submitted to the department within 30 days following the end of each calendar quarter in a format acceptable to the department and must include:

(a) the average NO_x emission rates as specified under paragraph (3) of this subdivision. (With the exception of emission sources subject to paragraph (a)(4) of this Section, emission sources are to record and tabulate block hourly average emission rates, but do not need to included the block hourly average emission rates in the quarterly summaries);

(b) identification of the operating hours when NO_x emissions data are not included in the calculation of the average emission rate and the reasons for not including

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that data; and

(c) the results of accuracy assessments as required by 40 CFR part 60, appendix F and any additional data quality information required by the department.

(v) The owner or operator of an emission source must submit the initial compliance test data, the performance evaluation of the CEMS found in 40 CFR part 60, appendix B, and the maximum heat input capacity.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 63: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 227-2.6

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners or operators of this Unit 6 must monitor NO_x emissions using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75.

Bias factors required under Part 75 are not required when determining compliance. Hourly emissions and heat input must be used to compute BTU-weighted 24 hour block averages or 30 - day rolling averages. During periods of CEM downtime, emissions data substituted pursuant to 40 CFR Part 75, Subpart D and Appendix C will not be used for purposes of NO_x RACT compliance.

Emissions reports must be submitted no later than 30 days after the end of the calendar quarter. Such reports shall be in a format acceptable to the Department.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 1-14: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (a)

Item 1-14.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 1-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This Unit is subject to the BART regional haze requirements. As a result of the required BART analysis, a limit for SO₂ emissions has been established.

On and after January 1, 2014, this Emission unit is limited to burning fuel with a sulfur content of no more than 0.75 wt%. This emission unit is currently subject to this limit for liquid fuels under 40 CFR 60.43. The owners and operators of this unit will comply with an equivalent emissions limit, 0.80 lb SO₂/mmBtu based on a 3-hour rolling average.

SO₂ emissions will be monitored and recorded continuously using continuous emissions monitors installed, operated and maintained in accordance with 40 CFR Part 75 and the Acid Rain CEM monitoring Plan. The bias factors need not be applied to the SO₂ emissions rate determination.

The owners and operators of this unit must report to the DEC emissions of SO₂ on a calendar quarter basis. Such reports must be submitted in a format acceptable to the Department no later than 30 days after the end of each quarter. For each period when emissions exceed the allowable limit, the owners and operators must report the magnitude of the exceedance, the duration of the exceedance, the cause of the exceedance and the corrective action taken to correct the exceedance.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 0.80 pounds per million Btus

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Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR ROLLING AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2012.
Subsequent reports are due every 3 calendar month(s).

Condition 1-15: Compliance Certification
Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (a)

Item 1-15.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

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

Item 1-15.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The owners and operators of this facility shall not purchase or obtain any fuel oil, for burning in this unit, that has a sulfur content exceeding 0.5 wt%. Exempted from this condition is any oil that was onsite or at the South Oswego Terminal facility (ID # 7-3542-00024) as of August 4, 2010.

Process Material: FUEL OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2012.
Subsequent reports are due every 6 calendar month(s).

Condition 1-16: Compliance Certification
Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (a)

Item 1-16.1:

The Compliance Certification activity will be performed for:

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Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 1-16.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

This Unit is subject to the BART regional haze requirements. As a result of the required BART analysis, a determination was made that an economically feasible control option, beyond current control, does not exist for this unit as it currently operates. An emission limitation has been established below the threshold that would make an additional control option economically feasible. This emission limitation has also been established to cover the economic feasibility threshold for the 6 NYCRR Part 227-2 NOx RACT control requirements that are required to be in place by July 1, 2014.

On and after January 1, 2014, this Emission unit is limited to emitting no more than 665 tons of NOx per year, based on a 12 month rolling total. The owners and operators of this emission unit shall calculate monthly and 12 month totals for each calendar month. The CEM data already required to be recorded for this emission unit shall be used to calculate the monthly and 12 month totals.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 665 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-17: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (a)

Item 1-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

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Regulated Contaminant(s):

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

Item 1-17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This Unit is subject to the BART regional haze requirements. As a result of the required BART analysis, the current level of particulate control (ESP in its current configuration) has been determined to meet the BART requirements. Other conditions in this permit containing particulate (6 NYCRR Part 227-1.2(a)(1) particulate matter emissions limited to 0.10 lb/mmBtu) requirements and opacity (6 NYCRR Part 227-1.3 opacity limited to 20% based on a six-minute average period, except for one six-minute period per hour of not more than 27%) requirements will be used to ensure compliance for the current control technology. Monitoring and reporting shall also be performed as per these other permit conditions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-18: Compliance Certification

Effective between the dates of 05/16/2012 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 249.3 (f)

Item 1-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Item 1-18.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permit conditions (including monitoring and reporting) in this permit for NO_x, SO₂, and/or PM₁₀ established under Part 249, are based on New York's Best Available Retrofit Technology (BART) Rule (6 NYCRR Part 249), are effective on the date of this permit's issuance, and are state-enforceable. Federal enforceability of these facility-specific permit conditions is effective on the date on which the requirements contained in these permit conditions, as submitted to EPA as a revision to New York State's Implementation Plan for Regional Haze,

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are published in the Federal Register.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 64: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.43(a)(1), NSPS Subpart D

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Pursuant to 40 CFR 60.43, emissions of sulfur dioxide from this unit are limited to no more than 0.80 lb SO₂/mmBtu derived from liquid fossil fuel. Compliance shall be based on the total heat input from all fossil fuels burned, including gaseous fuels.

Emissions of sulfur dioxide shall be monitored using CEMs installed and operated in accordance with 40 CFR Part 75. Maintenance of the CEMs in accordance with Part 75 fulfills the monitoring requirements of Part 60. Bias adjustment factors are not required to be used when determining compliance with Part 60 requirements. Emissions data substituted pursuant to the missing data provisions of Part 75 shall not be used for compliance.

Reports of emissions are required to be submitted to the EPA and the Department. Such reports must be postmarked by the 30th day following the end of each calendar quarter, and follow the format specified in 40 CFR 60.7. Excess emissions are defined as any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) of sulfur dioxide as measured by a CEM.

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Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements
Upper Permit Limit: 0.8 pounds per million Btus
Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-HOUR ROLLING AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.44(a)(1), NSPS Subpart D

Item 65.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

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Regulated Contaminant(s):

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

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Gaseous fossil fuel combustion:

Pursuant to 40 CFR 60.44, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility any gases that contain NOX, expressed as NO2 in excess of 0.20 lb/MMBtu derived from gaseous fossil fuel.

Emissions shall be monitored using CEMs installed and operated in accordance with 40 CFR Part 75. Operation and maintenance of the CEMs in accordance with Part 75 fulfills the monitoring requirements under 40 CFR Part 60 for NOx. Bias adjustment factors need not be used for reporting compliance. Data reported during monitor downtime using the missing data substitution procedures of Part 75 shall not be used for compliance.

Reports of emissions and monitor downtime must be submitted to the EPA and the Department following the format of 40 CFR 60.7. Reports must be postmarked by the 30th day following the end of each calendar quarter. Excess emissions are defined as any three hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standard.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 66: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.44(a)(2), NSPS Subpart D

Item 66.1:

The Compliance Certification activity will be performed for:

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Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Liquid fossil fuel combustion:

Pursuant to 40 CFR 60.44, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility any gases that contain NOX, expressed as NO2 in excess of 0.30 lb/MMBtu derived from liquid fossil fuel.

Emissions shall be monitored using CEMs installed and operated in accordance with 40 CFR Part 75. Operation and maintenance of the CEMs in accordance with Part 75 fulfills the monitoring requirements under 40 CFR Part 60 for NOx. Bias adjustment factors need not be used for reporting compliance. Data reported during monitor downtime using the missing data substitution procedures of Part 75 shall not be used for compliance.

Reports of emissions and monitor downtime must be submitted to the EPA and the Department following the format of 40 CFR 60.7. Reports must be postmarked by the 30th day following the end of each calendar quarter. Excess emissions are defined as any three hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standard.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Upper Permit Limit: 0.30 pounds per million Btus

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 67: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.44(b), NSPS Subpart D

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Item 67.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility any gases that contain NOX, expressed as NO2 in excess of the standard determined using the following equation for the simultaneous burning of fossil fuels:

$$PS_{NOX} = \{ x(0.20) + y(0.30) + z(0.70) \} / (x + y + z)$$

Where: PS_{NOX} = the prorated standard for NOX (in lb/mmBtu) when burning different fossil fuels simultaneously,

x = the fraction of total heat input from gaseous fossil fuel,

y = the fraction of total heat input from liquid fossil fuel,

z = the fraction of total heat input from solid fossil fuel.

Emissions shall be monitored using CEMs installed and operated in accordance with 40 CFR Part 75. Operation and maintenance of the CEMs in accordance with Part 75 fulfills the monitoring requirements under 40 CFR Part 60 for NOx. Bias adjustment factors need not be used for reporting compliance. Data reported during monitor downtime using the missing data substitution procedures of Part 75 shall not be used for compliance.

Reports of emissions and monitor downtime must be submitted to the EPA and the Department following the format of 40 CFR 60.7. Reports must be postmarked by the 30th day following the end of each calendar quarter. Excess emissions are defined as any three hour period

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during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standard.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 70: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 70.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Item 70.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 71: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 71.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00006 Emission Point: 00006

Item 71.2:

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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;
- 4) Total time the COMS is required to record data during the reporting period;
- 5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and
- 6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 72: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR 227-1.3

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00009

Item 72.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate this emission unit in excess of

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20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

The owner or operator shall conduct opacity observations according to EPA Method 9 upon request from the Department.

At least once per semi-annual calendar period (January 1 to June 30, July 1 to December 31), the owner or operator shall observe the emissions points while the devices are in operation burning oil. The owner or operator shall record the date, the time, the weather conditions (rain, snow, cloudy, clear), and whether there is any visible plume (excluding condensed water vapor). To the extent practicable, the observer shall position him or herself with the sun behind his or her back. Such testing is not required if fuel oil is combusted for less than 168 hours in the semi-annual period.

In the event that visible emissions are observed, the owner or operator shall contact the Department by phone as soon as practicable, but in no event later than two business days after conducting the observation. Within 30 days, when requested by the Department in writing, the owner or operator must submit to the Department a report describing the emissions.

All records of observations must be maintained at the facility for a period of five years.

A report must be submitted to the Department semiannually (calendar basis) stating whether the monitoring has been conducted. Reports must be submitted no later than 30 days after the end of each semi-annual period.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 73: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

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Item 73.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00009

Regulated Contaminant(s):

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

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 227-2.5(b) allows system-wide NOx averaging.
Oswego Harbor Power must comply with the Btu weighted NRG
system-wide averaging plan dated February 24, 2000.

During the ozone season, May 1 - September 15, compliance
must be demonstrated on a 24 hour average. During all
other times, compliance will be on a 30 day rolling
average.

Reporting on the system averaging must be submitted
quarterly, within 30 days of the end of each calendar
quarter.

Emissions from this Emission Unit 00009 will be estimated
using results from the most recent stack test, unless
another emission factor is approved by the
Department.

A compliance test must be conducted once during the term
of the permit, while burning distillate oil, except a test
is not required if there are no semi-annual (calendar)
periods during the term of the permit with at least 168
operating hours while burning distillate oil. Testing and
reporting shall be conducted in accordance with 6NYCRR
Part 202-1.

A compliance test must be conducted once during the term
of the permit, while burning natural gas, except a test is
not required if there are no semi-annual (calendar)
periods during the term of the permit with at least 168
operating hours while burning natural gas. Testing and
reporting shall be conducted in accordance with 6NYCRR
Part 202-1.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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Condition 74: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 225-1.2 (d)

Item 74.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00009

Process: P91

Regulated Contaminant(s):

CAS No: 0NY035-16-0 SULFUR (S 035)

Item 74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The sulfur in fuel content is restricted to no more than
to 1.5% sulfur by weight. The facility owner/operator, its
contractor, or the supplier must analyze sulfur in fuel
content of fuel oil upon receipt of delivery. (This limit
is state-enforceable only. The federal limit is 2.0%
sulfur by weight.)

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: OIL (NOT ELSEWHERE CLASSIFIED)

Parameter Monitored: SULFUR (S 035)

Upper Permit Limit: 1.5 percent by weight

Reference Test Method: 40 CFR 75 APPENDIX D

Monitoring Frequency: PER DELIVERY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 75: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 75.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00009

Process: P91

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Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

The requirement is stated as follows:

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

Compliance testing must be performed once during the term of the permit, except a test is not required if there are no semi-annual (calendar) periods during the term of the permit with at least 168 operating hours while burning oil.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 76: Capping Monitoring Condition

Effective between the dates of 05/17/2010 and 05/16/2015

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Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 76.1:

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 76.2:

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

Item 76.3:

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 76.4:

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 76.5:

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 76.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 76.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Emissions of sulfur dioxide from this emission unit shall not exceed 39 tons per rolling 12 month period. Emissions shall be computed as the product of the fuel oil

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combusted, in pounds fuel/month; the lower of the allowable sulfur content, 0.005 pounds sulfur per pound of fuel, or the actual sulfur content; and the factor of 2 (to convert S to SO₂).

1. The amount of fuel fired shall be determined using fuel flow meters, converted to mass using the density of fuel oil at the temperature of measurement.
2. Purchase records of the amounts of fuel combusted shall also be maintained.
3. The owner or operator shall compute the SO₂ emissions for each month, as well as the annual SO₂ emissions for each prior 12 month rolling period.
4. The owner or operator shall submit to the Department, on a semi-annual calendar year basis, a report stating whether such measurements and calculations have been made for each prior six month period.
5. The owner or operator shall submit to the Department, on an annual calendar year basis, a report stating whether the facility was in compliance with the annual emission limit. The report shall be due no later than January 30 of each year, and shall report the amount of SO₂ emitted during each 12 month rolling period completed in the prior calendar year.
6. If the annual emissions during any 12 month rolling period exceed 39 tons, the owner or operator shall submit to the Department a report of such excess emissions within 30 days after the end of that 12 month rolling period.

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 39 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 77: Capping Monitoring Condition

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 77.1:

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

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otherwise be subject to:

6 NYCRR Subpart 231-2
40 CFR 52.21

Item 77.2:

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

Item 77.3:

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 77.4:

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 77.5:

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 77.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Regulated Contaminant(s):

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

Item 77.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Emissions of NOX from this emission unit shall not exceed 39 tons per rolling 12 month period. Emissions shall be computed as the product of the heat input, in mmBtu/hr, and the actual emissions rate, determined from emissions testing, multiplied by 1.1, as follows:

1. Actual emissions rates firing oil and gas are determined from emissions testing at three operating loads

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for each fuel. From the results of the most recent test at three operating loads, the highest emission rate shall be used to compute NOx emissions.

2. The heat input to the boiler shall be computed as the product of the amount of fuel fired each month (gallons of oil per month or cubic feet of gas per month) and the gross heating value of the fuel (Btu/gallon for oil or Btu/cubic foot for gas) as determined by vendor receipts, vendor fuel analyses, or station analyses.

3. The amount of fuel fired shall be determined using fuel flow meters.

4. Purchase records of the amounts of fuel combusted shall also be maintained.

5. The owner or operator shall compute the NOx emissions for each month using the following formula:

$$(\text{Actual emission rate firing oil, lb/mmBtu}) \times (1.1) \times (\text{total heat input from oil, mmBtu}) + (\text{Actual emission rate firing gas, lb/mmBtu}) \times (1.1) \times (\text{total heat input from gas, mmBtu}).$$

6. The owner or operator shall compute the annual NOx emissions for each prior 12 month rolling period.

7. The owner or operator shall submit to the Department, on a semi-annual calendar year basis, a report stating whether such measurements and calculations have been made for each prior six month period.

8. The owner or operator shall submit to the Department, on an annual calendar year basis, a report stating whether the facility was in compliance with the annual emission limit. The report shall be due no later than January 30 of each year, and shall report the amount of NOx emitted during each 12 month rolling period completed in the prior calendar year.

9. If the annual emissions during any 12 month rolling period exceed 39 tons, the owner or operator shall submit to the Department a report of such excess emissions within 30 days after the end of that 12 month rolling period.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 39 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 7/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 78: Compliance Certification
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 78.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Item 78.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate this emission unit in excess of 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

The owner or operator shall conduct opacity observations according to EPA Method 9 upon request from the Department.

At least once per semi-annual calendar period (January 1 to June 30, July 1 to December 31), the owner or operator shall observe the emissions points while the device is in operation burning oil. The owner or operator shall record the date, the time, the weather conditions (rain, snow, cloudy, clear), and whether there is any visible plume (excluding condensed water vapor). To the extent practicable, the observer shall position him or herself with the sun behind his or her back. Such testing is not required if fuel oil is combusted for less than 168 hours in the semi-annual period.

In the event that visible emissions are observed, the owner or operator shall contact the Department by phone as soon as practicable, but in no event later than two business days after conducting the observation. Within 30 days, when requested by the Department in writing, the owner or operator must submit to the Department a report describing the emissions.

All records of observations must be maintained at the facility for a period of five years.

A report must be submitted to the Department semiannually

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(calendar basis) stating whether the monitoring has been conducted. Reports must be submitted no later than 30 days after the end of each semi-annual period.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 79: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) Except as provided under paragraph (2), the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (1), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO₂ standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

Records of fuel usage shall be reported to the Department or EPA upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 80: Compliance Certification

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Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 80.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: GAS

Regulated Contaminant(s):

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

Item 80.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of oxides of nitrogen from this unit shall not exceed 0.10 pounds per million Btu while burning natural gas, determined with a one hour average in accordance with the provisions of section 227-2.6(a)(4).

A compliance test must be conducted once during the term of the permit except a test is not required if there are no semi-annual (calendar) periods during the term of the permit with at least 168 operating hours while burning natural gas.

The owner or operator of this source conducting an emission test must:

(1) submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

(2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NO_x limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title:

(i) for large and mid-size boilers, utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department;

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.10 pounds per million Btus

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Reference Test Method: EPA Method 7, 7E, or 19

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 81: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 81.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Regulated Contaminant(s):

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

Item 81.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of oxides of nitrogen from this unit shall not exceed 0.12 pounds per million Btu while burning distillate oil, determined with a one hour average in accordance with the provisions of section 227-2.6(a)(4).

A compliance test must be conducted once during the term of the permit except a test is not required if there are no semi-annual (calendar) periods during the term of the permit with at least 168 operating hours while burning distillate oil.

The owner or operator of this source conducting an emission test must:

(1) submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

(2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NO_x limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title:

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(i) for large and mid-size boilers, utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department;

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.12 pounds per million Btus

Reference Test Method: EPA Method 7, 7E, or 19

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 82: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 82.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Regulated Contaminant(s):

CAS No: 000000-00-0 PARTICULATES

Item 82.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

The requirement is stated as follows:

No person shall cause, permit or allow a two hour average emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million Btu heat input from any oil fired stationary combustion installation. Upon written application, the commissioner may exempt a person from the provisions of this section, when in view of the properties of the emissions, isolated conditions, stack

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height and other factors, it is clearly demonstrated that the emissions thus permitted will not cause a contravention of established ambient air quality standards.

Compliance testing must be performed once during the term of the permit, except a test is not required if there are no semi-annual (calendar) periods during the term of the permit with at least 168 operating hours while burning oil.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 83: Exemption from the averaging period.
Effective between the dates of 05/17/2010 and 05/16/2015**

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

Item 83.1:

This Condition applies to Emission Unit: U-00010
Process: OIL

Item 83.2:

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

**Condition 84: Enforceability.
Effective between the dates of 05/17/2010 and 05/16/2015**

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

Item 84.1:

This Condition applies to Emission Unit: U-00010
Process: OIL

Item 84.2:

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

Condition 85: Compliance Certification

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Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.43c(c), NSPS Subpart Dc

Item 85.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Item 85.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts oil and has a heat input capacity of 30 million BTU per hour or greater shall cause to be discharged into the atmosphere from an affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

The owner or operator shall conduct opacity observations according to EPA Method 9 upon request from the Department.

At least once per semi-annual calendar period (January 1 to June 30, July 1 to December 31), the owner or operator shall observe the emissions points while the device is in operation burning oil. The owner or operator shall record the date, the time, the weather conditions (rain, snow, cloudy, clear), and whether there is any visible plume (excluding condensed water vapor). To the extent practicable, the observer shall position him or herself with the sun behind his or her back. Such testing is not required if fuel oil is combusted for less than 168 hours in the semi-annual period.

In the event that visible emissions are observed, the owner or operator shall contact the Department by phone as soon as practicable, but in no event later than two business days after conducting the observation. Within 30 days, when requested by the Department in writing, the owner or operator must submit to the Department a report describing the emissions.

All records of observations must be maintained at the

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facility for a period of five years.

A report must be submitted to the Department semiannually (calendar basis) stating whether the monitoring has been conducted. Reports must be submitted no later than 30 days after the end of each semi-annual period.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 86: Enforceability of particulate matter and opacity standards.

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.43c(d), NSPS Subpart Dc

Item 86.1:

This Condition applies to Emission Unit: U-00010
Process: OIL

Item 86.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

Condition 87: Alternative compliance methods for sulfur dioxide.

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.44c(h), NSPS Subpart Dc

Item 87.1:

This Condition applies to Emission Unit: U-00010
Process: OIL

Item 87.2:

Facilities demonstrating compliance through vendor certification shall follow the compliance procedures listed in paragraphs 40 CFR 60-Dc.48c(f)(1), (2), or (3), as applicable.

Condition 88: Compliance Certification

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Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:40CFR 60.45c(a), NSPS Subpart Dc

Item 88.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Item 88.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The owner or operator of an affected facility subject to the opacity standards under 40 CFR 60.43c shall conduct a performance test once during the term of the permit and as requested by the Department or EPA to determine compliance with the standards. EPA Method 9 (six minute average of 24 observation) shall be used for determining the opacity of stack emissions. As required by 40 CFR 60.48c and 6NYCRR Part 202-1, the owner or operator shall submit to the EPA and the Department the performance test data from any performance tests.

The "once during the term of the permit" performance test is not required if there are no semi-annual (calendar) periods during the term of the permit with at least 168 operating hours while burning oil.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 89: Exemption from sulfur dioxide monitoring requirements.
Effective between the dates of 05/17/2010 and 05/16/2015**

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

Item 89.1:

This Condition applies to Emission Unit: U-00010

Process: OIL

Item 89.2:

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

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Condition 90: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

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

Item 90.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 90.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 91: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement:40CFR 60.48c(e)(11), NSPS Subpart Dc

Item 91.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Item 91.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep records and submit semi-annual reports to the USEPA and the Department. Such reports shall include records of fuel supplier certifications and a certified statement signed by the owner or operator of this unit that the records of fuel supplier certifications submitted represent all of the

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fuel combusted during the 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 7/30/2010.

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

Condition 92: Compliance Certification

Effective between the dates of 05/17/2010 and 05/16/2015

Applicable Federal Requirement: 40CFR 60.48c(f)(1), NSPS Subpart Dc

Item 92.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: OIL

Item 92.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Fuel supplier certification shall include the following information for distillate oil:

i) The name of the oil supplier;

ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c (§60.41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils); and

(iii) The sulfur content or maximum sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 93: Contaminant List
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable State Requirement:ECL 19-0301

Item 93.1:

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

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

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CAS No: 0NY035-16-0
Name: SULFUR (S 035)

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

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

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

Condition 94: Unavoidable noncompliance and violations
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable State Requirement: 6 NYCRR 201-1.4

Item 94.1:

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

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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 95: Air pollution prohibited
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable State Requirement:6 NYCRR 211.2

Item 95.1:

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 1-19: Visible Emissions Limited
Effective between the dates of 05/16/2012 and 05/16/2015

Applicable State Requirement:6 NYCRR 211.2

Item 1-19.1:

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 96: Compliance Demonstration
Effective between the dates of 05/17/2010 and 05/16/2015

Applicable State Requirement:6 NYCRR Part 242

Item 96.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 96.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. As of midnight, March 1 or, if that March 1 is not a



business day, midnight of the first business day thereafter, the owners or operators shall hold (in the compliance account) CO₂ allowances available for compliance deduction in an amount not less than the total CO₂ emissions for the Control Period as such term is defined in 6 NYCRR 242-1.2(b)(40) for all CO₂ budget units at the source.

2. CO₂ allowances shall not be deducted, in order to comply with 6 NYCRR 242-1.5(c)(1), for a Control Period that ends prior to the allocation year for which the CO₂ allowance was allocated.

3. The owner or operator of a CO₂ budget source that has excess emissions in any Control Period shall forfeit the CO₂ allowances required for deduction under 6 NYCRR 242-6.5(d)(1), provided CO₂ offset allowances may not be used to cover any part of such excess emissions; and pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR 242-6.5(d)(2).

4. Each CO₂ budget source shall have only one authorized account representative and may have one alternate CO₂ authorized account representative, as specified in 242-2. Each submission under the CO₂ Budget Trading Program shall be submitted, signed, and certified by the CO₂ authorized account representative (or alternate AAR) and include the following statement: "I am authorized to make this submission on behalf of the owners and operators of the CO₂ budget sources or CO₂ budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

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

6. For each control period to which a CO₂ budget source



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

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

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

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

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

8. The owners and operators and, to the extent applicable, the CO2 authorized account representative (or alternate) of a CO2 budget unit shall comply with the monitoring, recordkeeping and reporting requirements as provided in 6 NYCRR 242; and 40 CFR Part 75. The owner or operator of each CO2 budget unit must install all monitoring systems necessary to monitor CO2 mass emissions in accordance with 40 CFR Part 75, except for equation G1.

Equation G1 in appendix G shall not be used to determine CO2 emissions under 6 NYCRR 242. The owners or operators must successfully complete all certification tests required under 6 NYCRR 242-8.2 and 40 CFR Part 75 and record, report and quality-assure the data from the monitoring systems.

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

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

11. The CO2 authorized account representative shall

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 1-20: Compliance Demonstration
Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-20.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 1-20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This method can be used for NOx RACT compliance through June 30, 2014. After this date other methods established in this permit must be used.

Part 227-2.5(b) allows system-wide NOx averaging. Oswego Harbor Power must comply with the Btu weighted NRG system-wide averaging plan dated February 24, 2000. Pursuant to Part 227-2.6(b)(5), Oswego Harbor Power will use continuous emission monitors to certify compliance.

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The CEMs must be installed, operated and maintained in accordance with 40 CFR Part 75.

During the ozone season, May 1 - September 15, compliance must be demonstrated on a 24 hour average. During all other times, compliance will be on a 30 day rolling average.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-21: Compliance Demonstration
Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-21.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 1-21.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

A NO_x RACT analysis was performed to determine the technical and economic feasibility of adding control technologies to meet the control requirements of 6 NYCRR Part 227-2.4. A determination was made for this unit that no additional technically feasible controls were economically feasible at the capacity this unit has been running. In accordance with the provisions of 6 NYCRR Part 227-2.5(c), an emission limitation has been established below the threshold that would make an additional control option economically feasible. This emission limitation has also been established to cover the economic feasibility threshold for the 6 NYCRR Part 249 BART control requirements that are required to be in place by January 1, 2014.

On and after January 1, 2014, this Emission unit is limited to emitting no more than 383 tons of NO_x per year, based on a 12 month rolling total. The owners and

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operators of this emission unit shall calculate monthly and 12 month totals for each calendar month. The CEM data already required to be recorded for this emission unit shall be used to calculate the monthly and 12 month totals.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 383 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-22: Compliance Demonstration

Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-22.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 1-22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies on and after July 1, 2014.

A NO_x RACT analysis was performed to determine the technical and economic feasibility of adding control technologies to meet the control requirements of 6 NYCRR Part 227-2.4. A determination was made for this unit that no additional technically feasible controls were economically feasible at the capacity this unit has been running. In accordance with the provisions of 6 NYCRR Part 227-2.5(c), an alternative NO_x RACT limit has been developed for this unit.

Unit 5 (emission unit U-00005) is limited to 0.25 lb NO_x/mmBtu on a 24 hour heat input weighted average basis, regardless of fuel type. During the period October 1st to April 30th, compliance may be demonstrated using a 30-day rolling heat input weighted average. Emissions must be continuously monitored using monitoring equipment that

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meets the requirements of 40 CFR 75.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

Condition 1-23: Compliance Demonstration

Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 1-23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This method can be used for NO_x RACT compliance through June 30, 2014. After this date other methods established in this permit must be used.

Part 227-2.5(b) allows system-wide NO_x averaging. Oswego Harbor Power must comply with the Btu weighted NRG system-wide averaging plan dated February 24, 2000. Pursuant to Part 227-2.6(b)(5), Oswego Harbor Power will use continuous emission monitors to certify compliance. The CEMs must be installed, operated and maintained in accordance with 40 CFR Part 75.

During the ozone season, May 1 - September 15, compliance must be demonstrated on a 24 hour average. During all other times, compliance will be on a 30 day rolling average.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 7/30/2012.
Subsequent reports are due every 3 calendar month(s).

Condition 1-24: Compliance Demonstration
Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 1-24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies on and after July 1, 2014.

A NO_x RACT analysis was performed to determine the technical and economic feasibility of adding control technologies to meet the control requirements of 6 NYCRR Part 227-2.4. A determination was made for this unit that no additional technically feasible controls were economically feasible at the capacity this unit has been running. In accordance with the provisions of 6 NYCRR Part 227-2.5(c), an alternative NO_x RACT limit has been developed for this unit.

Unit 6 (emission unit U-00006) is limited to 0.22 lb NO_x/mmBtu on a 24 hour heat input weighted average basis, regardless of fuel type. During the period October 1st to April 30th, compliance may be demonstrated using a 30-day rolling heat input weighted average. Emissions must be continuously monitored using monitoring equipment that meets the requirements of 40 CFR 75.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Upper Permit Limit: 0.22 pounds per million Btus

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

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Condition 1-25: Compliance Demonstration

Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-25.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

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

Item 1-25.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

A NO_x RACT analysis was performed to determine the technical and economic feasibility of adding control technologies to meet the control requirements of 6 NYCRR Part 227-2.4. A determination was made for this unit that no additional technically feasible controls were economically feasible at the capacity this unit has been running. In accordance with the provisions of 6 NYCRR Part 227-2.5(c), an emission limitation has been established below the threshold that would make an additional control option economically feasible. This emission limitation has also been established to cover the economic feasibility threshold for the 6 NYCRR Part 249 BART control requirements that are required to be in place by January 1, 2014.

On and after January 1, 2014, this Emission unit is limited to emitting no more than 665 tons of NO_x per year, based on a 12 month rolling total. The owners and operators of this emission unit shall calculate monthly and 12 month totals for each calendar month. The CEM data already required to be recorded for this emission unit shall be used to calculate the monthly and 12 month totals.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 665 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

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Condition 1-26: Compliance Demonstration

Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00009

Regulated Contaminant(s):

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

Item 1-26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies on and after July 1, 2014.

A NO_x RACT analysis was performed to determine the technical and economic feasibility of adding control technologies to meet the control requirements of 6 NYCRR Part 227-2.4. A determination was made for this unit that no additional technically feasible controls were economically feasible at the capacity this unit has been running. In accordance with the provisions of 6 NYCRR Part 227-2.5(c), an alternative NO_x RACT limit has been developed for this unit.

Unit 9 (emission unit U-00009) is limited to 0.135 lb NO_x/mmBtu on a one hour heat input weighted average basis, regardless of fuel type. A compliance test must be performed within 90 days of the July 1, 2014 compliance date. The requirements of 6 NYCRR Part 202-1 must be followed. A compliance test protocol must be submitted at least 30 days prior to the test; the conditions of the testing and the locations of the sampling devices must be acceptable to the Department; and the test schedule must be coordinated with the Department, so that a Department representative has the opportunity to witness the test. A test report must be submitted no later than 60 days after completion of the test.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Upper Permit Limit: 0.135 pounds per million Btus

Reference Test Method: Method 7, 7E or 19 as appropriate

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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Condition 1-27: Compliance Demonstration

Effective between the dates of 05/16/2012 and 05/16/2015

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

Item 1-27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00010

Regulated Contaminant(s):

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

Item 1-27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This permit condition applies on and after July 1, 2014.

A NO_x RACT analysis was performed to determine the technical and economic feasibility of adding control technologies to meet the control requirements of 6 NYCRR Part 227-2.4. A determination was made for this unit that no additional technically feasible controls were economically feasible at the capacity this unit has been running. In accordance with the provisions of 6 NYCRR Part 227-2.5(c), an alternative NO_x RACT limit has been developed for this unit.

Unit 10 (emission unit U-00010) is limited to 0.10 lb NO_x/mmBtu on a one hour heat input weighted average basis, regardless of fuel type. A compliance test must be performed within 90 days of the July 1, 2014 compliance date. The requirements of 6 NYCRR Part 202-1 must be followed. A compliance test protocol must be submitted at least 30 days prior to the test; the conditions of the testing and the locations of the sampling devices must be acceptable to the Department; and the test schedule must be coordinated with the Department, so that a Department representative has the opportunity to witness the test. A test report must be submitted no later than 60 days after completion of the test.

Manufacturer Name/Model Number: CEM meeting 40 CFR 75 requirements

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 7, 7E or 19 as appropriate

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



