



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-1838-00026/00001  
Effective Date: 01/08/2016 Expiration Date: 01/07/2026

Permit Issued To: EMPIRE STATE PIPELINE COMPANY LLC  
6363 MAIN ST  
BUFFALO, NY 14221

Contact: RONALD C KRAEMER  
EMPIRE STATE PIPELINE  
6363 MAIN ST  
BUFFALO, NY 14221

Facility: EMPIRE CONNECTOR - OAKFIELD COMPRESSOR STATION  
3309 LOCKPORT RD  
OAKFIELD, NY

Description:

**Air State Facility Permit for natural gas pipeline compressor station.**

The single facility Emission Unit, U-00001, consists of 2 natural gas fired turbines rated at 10,310 hp each. Potential emissions are below the thresholds which define a Major Source in 6 NYCRR Part 201-2.1(b)(21). Contaminants emitted include particulates, PM-10, NO<sub>x</sub>, SO<sub>2</sub>, and CO, with potential emissions of less than 100 tons per year each; VOC, with potential emissions of less than 50 tons per year; and total hazardous air pollutants (HAP), with potential emissions of less than 25 tons per year.

Demonstration of compliance with the 40CFR, Subpart GG standard for NO<sub>x</sub> shall be accomplished with the initial performance test required by 40CFR60.8, and with an ongoing parametric monitoring program as required in 40CFR60.334(f)(2). Demonstration of compliance with the 40CFR60, Subpart GG standard for Sulfur Dioxide shall be accomplished with an the initial performance test required by 40CFR60.8, and with the fuel monitoring provisions of 40CFR60.334(h)(3).

**Renewal and Modification 1**

Permit renewed and minor modification issued. The facility remains a minor source with respect to Title V and New Source Review permitting. The modification incorporates new regulatory requirements under 40 CFR 60 subpart KKKK and establishes a 10-year term for the permit. The addition specifically includes New Source Performance Standards (NSPS) 40 CFR Subpart KKKK requirements include applicable NO<sub>x</sub> emission limitations from Table 1 of the rule (150 ppm for NO<sub>x</sub>).

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 8183800026**



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:           KIMBERLY A MERCHANT  
  6274 EAST AVON-LIMA RD  
  AVON, NY 14414-9519

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  
Permit modifications, suspensions or revocations by the Department

#### **Facility Level**

Submission of application for permit modification or  
renewal-REGION 8 HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**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: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 3.1:**

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

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



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

**Condition 4: Submission of application for permit modification or renewal-REGION 8  
HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 4.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: EMPIRE STATE PIPELINE COMPANY LLC  
6363 MAIN ST  
BUFFALO, NY 14221

Facility: EMPIRE CONNECTOR - OAKFIELD COMPRESSOR STATION  
3309 LOCKPORT RD  
OAKFIELD, NY

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

Permit Effective Date: 01/08/2016

Permit Expiration Date: 01/07/2026



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6 NYCRR 211.1: Air pollution prohibited

**Emission Unit Level**

**EU=U-00001**

- 2 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 3 40CFR 60.4320(a), NSPS Subpart KKKK: Compliance Demonstration
- 4 40CFR 60.4320(a), NSPS Subpart KKKK: Compliance Demonstration
- 5 40CFR 60.4320(a), NSPS Subpart KKKK: Compliance Demonstration
- 6 40CFR 60.4340(a), NSPS Subpart KKKK: Compliance Demonstration
- 11 40CFR 60.4340(a), NSPS Subpart KKKK: Compliance Demonstration
- 7 40CFR 60.4365(a), NSPS Subpart KKKK: Compliance Demonstration
- 8 40CFR 60.4375(b), NSPS Subpart KKKK: Compliance Demonstration
- 9 40CFR 60.4400(a), NSPS Subpart KKKK: Test methods for NOx
- 10 40CFR 60.4400(b), NSPS Subpart KKKK: NOx performance testing methodology

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 12 ECL 19-0301: Contaminant List
- 13 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 14 6 NYCRR Subpart 201-5: Emission Unit Definition
- 15 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 16 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 17 6 NYCRR 211.2: Visible Emissions Limited

**Emission Unit Level**

- 18 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 19 6 NYCRR Subpart 201-5: Process Definition By Emission Unit





**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

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

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

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

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

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

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

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

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



required to operate such device effectively.

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

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

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

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

**Item E: Emergency Defense - 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 F: Recycling and Salvage - 6 NYCRR 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item J: Required Emission Tests - 6 NYCRR 202-1.1**

# New York State Department of Environmental Conservation

Permit ID: 8-1838-00026/00001

Facility DEC ID: 8183800026



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

**Item K: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

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

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

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

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

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Air pollution prohibited**

**New York State Department of Environmental Conservation**

Permit ID: 8-1838-00026/00001

Facility DEC ID: 8183800026



**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1.1:**

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.

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

**Condition 2: Performance testing timeline.**

**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement:40CFR 60.8(a), NSPS Subpart A**

**Item 2.1:**

This Condition applies to Emission Unit: U-00001

**Item 2.2:**

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

**Condition 3: Compliance Demonstration**

**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement:40CFR 60.4320(a), NSPS Subpart**

**KKKK**

**Item 3.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



**Monitoring Description:**

The facility must monitor and record the number of hours that the compressor turbines operate at temperatures below 0 degrees F each calendar month. For those hours, an emission factor of 150 ppm NOx will be used to calculate NOx emissions from the compressor turbines. The facility must also maintain a copy of the manufacturer's Product Information Letter (PIL) 167 - Revision 4, dated June 6, 2012, which documents that turbine emissions at subzero temperatures meet the 150 ppm NOx emissions limit.

**Monitoring Frequency:** AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

**Reporting Requirements:** SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement:** 40CFR 60.4320(a), NSPS Subpart

**KKKK**

**Item 4.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

**Monitoring Type:** INTERMITTENT EMISSION TESTING

**Monitoring Description:**

If the combustion turbine heat input at peak load (HHV) is greater than 50 mmBtu/hr and less than or equal to 850 mmBtu/hr, the facility must not exceed the NOx emission standard of 25 ppm at 15% O2.

Compliance with this emission standard shall be determined according to the annual performance tests as specified in §60.4340(a).

This emission standard does not apply to combustion turbines operating at less than 75% of peak load or at temperatures less than 0 degrees F, which are subject to a separate emission standard specified in this permit.

**Parameter Monitored:** OXIDES OF NITROGEN

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



Upper Permit Limit: 25 parts per million by volume (dry,  
corrected to 15% O<sub>2</sub>)

Reference Test Method: EPA Method 7E or Method 20

Monitoring Frequency: ANNUALLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement:40CFR 60.4320(a), NSPS Subpart**

**KKKK**

**Item 5.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

If the combustion turbine is operating at less than 75  
percent of peak load or at temperatures less than 0  
degrees F, the facility must not exceed the NO<sub>x</sub> emission  
standard of 150 ppm at 15% O<sub>2</sub>.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 150 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: EPA Method 7E or Method 20

Monitoring Frequency: ANNUALLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement:40CFR 60.4340(a), NSPS Subpart**

**KKKK**

**Item 6.1:**

The Compliance Demonstration activity will be performed for:

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Annual performance tests must be performed in accordance with §60.4400 to demonstrate continuous compliance. If the NOX emission result from the performance test is less than or equal to 75 percent of the NOX emission limit for the turbine, the frequency of subsequent performance tests may be reduced to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NOX emission limit for the turbine, the annual performance tests must be resumed.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 25 parts per million by volume (dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: EPA Method 7E or Method 20

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 11: Compliance Demonstration**

**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement: 40CFR 60.4340(a), NSPS Subpart**

**KKKK**

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the facility is not using water or steam injection to control NO<sub>x</sub> emissions, the facility must perform annual



**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



performance tests in accordance with §60.4400 to demonstrate continuous compliance.

If the NO<sub>x</sub> emission result from the performance test is less than or equal to 75% of the NO<sub>x</sub> emission limit for the turbine, the facility may reduce the frequency of subsequent performance tests to once every two years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceeds 75% of the NO<sub>x</sub> emission limit for the turbine, the facility must resume annual performance tests.

Reference Test Method: Method 7E or 20

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 7: Compliance Demonstration**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement: 40CFR 60.4365(a), NSPS Subpart**

**KKKK**

**Item 7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/mmBtu) heat input.

The facility must use the fuel quality characteristics in a current, valid purchase contract, tariff sheet, or transportation contract for the fuel, specifying that:

- 1) The maximum total sulfur content for oil use is 0.05% by weight (500 ppmw) or less, or
- 2) The total sulfur content for natural gas use is 20 grains of sulfur or less per 100 standard cubic feet,

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



or

3) Has potential sulfur emissions of less than 26 ng SO<sub>2</sub>/J  
(0.060 lb SO<sub>2</sub>/mmBtu) heat input.

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 8: Compliance Demonstration**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement: 40CFR 60.4375(b), NSPS Subpart**

**KKKK**

**Item 8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit that performs annual performance tests in accordance with §60.4340(a), the facility must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 9: Test methods for NO<sub>x</sub>**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement: 40CFR 60.4400(a), NSPS Subpart**

**KKKK**

**Item 9.1:**

This Condition applies to Emission Unit: U-00001

**Item 9.2:**

The facility must conduct an initial performance test, as required in §60.8. Subsequent performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

Performance tests shall be conducted according to the test methodologies listed in

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



§60.4400(a)(1)-(3) as applicable.

**Condition 10: NOx performance testing methodology**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable Federal Requirement: 40CFR 60.4400(b), NSPS Subpart**

**KKKK**

**Item 10.1:**

This Condition applies to Emission Unit: U-00001

**Item 10.2:**

The performance test must be done at any load condition within +/- 25% of 100% of peak load. The facility may perform testing at the highest achievable load point, if at least 75% of peak load cannot be achieved in practice. The facility must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.

For a combined cycle and CHP turbine systems with supplemental heat (duct burner), the facility must measure the total NOx emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

If water or steam injection is used to control NOx with no additional post-combustion NOx control and the facility chooses to monitor the steam or water to fuel ratio in accordance with §60.4335, then that monitoring system must be operated concurrently with each EPA Method 20 or 7E run and must be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.4320 NOx emission limit.

Compliance with the applicable emission limit in §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NOx emission rate at each tested level meets the applicable emission limit in §60.4320.

If the facility elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in §60.4405) as part of the initial performance test of the affected unit.

The ambient temperature must be greater than 0F during the performance test.



**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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 12: Contaminant List**

**Effective between the dates of 01/08/2016 and 01/07/2026**



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

**Item 12.1:**

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 13: Malfunctions and start-up/shutdown activities  
Effective between the dates of 01/08/2016 and 01/07/2026**

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

**Item 13.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

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

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

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

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 14: Emission Unit Definition**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 14.1:**

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

Emission Unit: U-00001

Emission Unit Description:

Two (2) Solar Taurus 70 gas turbines (or equivalent),  
rated at 10,300 HP (ISO) each with Solonox technology.

Building(s): BLDG 1  
BLDG 2  
BLDG 3

**Condition 15: Renewal deadlines for state facility permits**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable State Requirement:6 NYCRR 201-5.2 (c)**

**Item 15.1:**

The owner or operator of a facility having an issued state facility 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.

**Condition 16: Compliance Demonstration**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 16.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall  
be submitted to the Regional Air Pollution Control  
Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 8  
6274 East Avon-Lima Rd.

**New York State Department of Environmental Conservation**

Permit ID: 8-1838-00026/00001

Facility DEC ID: 8183800026



Avon, NY 14414

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 17: Visible Emissions Limited**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 17.1:**

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.

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

**Condition 18: Emission Point Definition By Emission Unit**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 18.1:**

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

Emission Unit: U-00001

Emission Point: P0001

Height (ft.): 53      Diameter (in.): 60  
NYTMN (km.): 4777.625      NYTME (km.): 234.521      Building: BLDG 1

Emission Point: P0002

Height (ft.): 53      Diameter (in.): 60  
NYTMN (km.): 4777.625      NYTME (km.): 234.521      Building: BLDG 1

**Condition 19: Process Definition By Emission Unit**  
**Effective between the dates of 01/08/2016 and 01/07/2026**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 19.1:**

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

Emission Unit: U-00001

Process: TUR

Source Classification Code: 2-02-002-01

Process Description:

TWO (2) SOLAR TAURUS 70 GAS TURBINES,  
RATED AT 10310 HP (ISO) EACH WITH SOLONOX  
TECHNOLOGY FOR NOX EMISSIONS CONTROL BOTH  
TURBINES WILL BE LOCATED IN THE COMPRESSOR

**New York State Department of Environmental Conservation**

**Permit ID: 8-1838-00026/00001**

**Facility DEC ID: 8183800026**



**BUILDING (BLDG.1)**

Emission Source/Control: T0001 - Combustion  
Design Capacity: 86.7 million BTUs per hour

Emission Source/Control: T0002 - Combustion  
Design Capacity: 86.7 million BTUs per hour



