

New York State Department of Environmental Conservation
Facility DEC ID: 9041200042



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-0412-00042/00011
Effective Date: 09/12/2007 Expiration Date: 09/11/2012

Permit Issued To: INDECK-OLEAN LIMITED PARTNERSHIP
600 N. BUFFALO GROVE ROAD
BUFFALO GROVE, IL 60089

Contact: JAMES SCHNEIDER
INDECK ENERGY SERVICES
600 NORTH BUFFALO GROVE RD #300
BUFFALO GROVE, IL 60089-2419
(847) 520-3212

Facility: INDECK OLEAN ENERGY CENTER
140 MOORE AVE
OLEAN, NY 14760

Contact: JOHN E HARE
INDECK OLEAN ENERGY CENTER
140 MOORE AVE
OLEAN, NY 14760
(716) 373-4705

Description:
Indeck Olean Energy Center (Renewal 1, Modification 0)

This Permit is a renewal of the existing Title V operating air permit. The permit contains the following changes:

1. Permit conditions were added to limit the pounds of nitrogen oxides (NOx) and carbon monoxide (CO) emitted during each 180-minute startup or shutdown period. Previously there were no emission limits during startup or shutdown because it takes up to three hours for the emission control equipment to become fully operational and during that time the normal operation emission limits could not be met.
2. The record keeping permit condition for the New Source Performance Standards (NSPS) for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels), Title 40 of the Code of Federal Regulations (CFR) Part 60 subpart Kb, 60.110b was removed from the permit. The rule does not apply to the permittee because the distillate fuel oil's true vapor pressure is too low to meet the definition of a volatile organic liquid as defined in this regulation.
3. Permit conditions were added from the following regulations that became applicable since the initial



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Title V permit was last modified in July 2003: Title 6 of the New York Codes, Rules and Regulations (6 NYCRR) Part 237 - Acid Deposition Reduction NO_x Budget Trading Program - which limits annual NO_x emissions; and 6NYCRR Part 238 - Acid Deposition Reduction SO₂ (Sulfur Dioxide) Budget Trading Program - which limits annual SO₂ emissions.

4. The facility specific fuel monitoring conditions for nitrogen and sulfur content were removed from the permit. These conditions were generated by the Environmental Protection Agency (EPA) when the plant was constructed in lieu of the prescribed fuel monitoring in 40 CFR Part 60 subpart GG, NSPS for combustion gas turbines. The nitrogen content of the gas and oil is not required to be analyzed anymore. On March 27, 2006 the permittee demonstrated that the supplied natural gas meets the definition of pipeline quality natural gas and requested to no longer monitor the sulfur content of natural gas as allowed in subpart GG. The permit does not require sulfur monitoring of the natural gas. However, the permittee must continue monitoring the sulfur content of each batch of fuel oil delivered as required in subpart GG.

5. The permittee is exempt from the requirements of Continuous Assurance Monitoring (CAM), 40CFR Part 64, because this permit requires a continuous emission monitoring system (CEMS) which provide continuous compliance determinations for NO_x emissions. The potential to emit NO_x is over 100 tons per year and control devices are used to reduce emissions. CAM does not apply to any other pollutants.

6. 40 CFR Part 60 subpart GG was revised since the Title V permit was last modified. It now allows the use of CEMS to monitor NO_x emissions which the permittee has been doing to meet other regulations. Therefore, permit conditions associated with a water to fuel monitoring were not carried over in this permit.

7. Duplicate or overlapping permit conditions were either removed or consolidated into one condition for this permit. This primarily affects sulfur in fuel and NO_x ppm and lb/hr conditions that came from different regulations. Now the most stringent requirements from all applicable conditions are incorporated in one condition where possible.

Most previous 40 CFR Part 60 subpart Db and subpart GG permit conditions were removed from the permit as part of this consolidation, because the PSD capping conditions are more restrictive. All of the duct burner specific emission limits, NO_x, CO, PM, PM-10 and VOC, were removed because there was no technical way to measure emissions just from the duct burner. The duct burner can only operate when the turbine is operating, so a condition was added to the permit that requires the GT to operate whenever the duct burner operates. The existing stack emission limits, process 500 and 600 still apply.

The PM, PM-10 and VOC emission limits for the GT alone, processes 100 and 200, were moved the gas turbine and duct burner operating scenarios, processes 500 and 600. The move was made because the highest impacts from initial project emission modeling occurred when the gas turbine and duct burner were both operating. Likewise, the 1994 initial compliance testing was conducted when the gas turbine and duct burners were operating. All the pollutants were in compliance during the initial testing.

8. Ammonia emission limits from the PSD capping permit were included in this permit. They were omitted from the original Title V permit. A CEMS is used to monitor ammonia emissions as nitrogen oxide. Permit conditions were added that require a once per permit term ammonia stack test for compliance and to test the accuracy of the ammonia monitoring system. The permittee will comply with the more restrictive 7.3 lb NH₃/hr limit while burning both gas and oil. The permittee requested to replace the 7.7 lb NH₃/hr limit when firing fuel oil, because the emissions are easily below 7.3 lb/hr and



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to consolidate the permit.

9. At times the plant has difficulty obtaining enough natural gas to fire the gas turbine on 100% natural gas, so it supplements the natural gas with fuel oil. Process 700 sets NO_x and CO emission limits when natural gas and fuel oil are co-fired. Since the emission limits vary based on fuel type, the emission limits are weighted based on heat input per fuel type.

10. The peak operating load (108% of base load) permit conditions were modified because the gas turbine typically operates at peak for short periods at a time. These hourly limits are now load weighted. Likewise, if the gas turbine operates at peak load during two or more quarters of a hour, that hour will be counted against the peak operating hour limit.

By way of background, the Indeck-Olean Energy Center (Indeck) is a combined cycle co-generation plant that produces electricity and steam for a steam host. Indeck is located in an industrial part of the City of Olean, Cattaraugus County. Indeck commenced production in 1993 with a rated net generating capacity of 79.9 megawatts (MW) of electricity. Process steam is provided to Dresser-Rand Company, the host facility, and electric power is sold on a contract basis to the electric grid.

This facility consists of one Emission Unit (EU), EU O-00001, that includes a General Electric Frame 6 combustion gas turbine (GT) rated at 421 million Btu per hour (mmBtu/hr) heat input with steam injection, a duct burner (DB) rated at 249 mmBtu/hr heat input, and a selective catalytic reducer (SCR). The GT generates about 39.6 MW and the steam turbine generates about 39.6 MW. The emissions from these sources exhaust out emission point (EP) 00001. The GT and DB are primarily fired with natural gas, but both can fire distillate (#2) fuel oil as an alternative. An extractive CEMS is used to measure and record emissions of NO_x, CO, oxygen (O₂), ammonia (NH₃), and opacity at the stack.

Five processes are part of EU O-00001, process 100 is the turbine combusting natural gas without the duct burner firing, process 200 is the turbine combusting distillate fuel oil without the duct burner firing, process 500 is the turbine and duct burner both combusting natural gas and process 600 is the turbine combusting distillate fuel oil and the duct burner firing natural gas or distillate fuel oil. Process 700 was added to allow the turbine to simultaneously firing natural gas and distillate fuel oil and the duct burner firing natural gas or distillate fuel oil. This did not change any emission limits.

This Title V permit includes conditions that originated in Prevention of Significant Deterioration of Air Quality (PSD, 40 CFR 52-A.21(j)) avoidance permit that was issued when the facility was constructed in 1992-93. The permit limits sulfur in fuel, and emissions of NO_x, CO, opacity, particulates, particulates less than ten microns in diameter (PM-10) and volatile organic compounds. The PSD capping permit limits actual emissions of CO to 156.6 tons per year (tpy), NO_x to 125.3 tpy, and sulfur dioxide to 138.0 tpy, and are included in this permit. The PSD capping permit states the facility may only fire natural gas and distillate fuel oil in the gas turbine and duct burner, and fuel oil use in the turbine is limited to 4.49 million gallons and in the duct burner to 2.45 million gallons based on 365-day rolling total. All records must be kept for 5 years pursuant to 6 NYCRR Subpart 201-6.

The PSD capping permit limits the sulfur in fuel to less than 0.25% sulfur by weight to limit sulfur dioxide emissions. This limit is more stringent than the following applicable sulfur in fuel limits: 0.8% sulfur by weight in the NSPS for Stationary Gas Turbines, 40 CFR 60.333(b) subpart GG; 0.5% sulfur by



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weight from the NSPS for Industrial-Commercial-Institutional Steam Generating Units in 40 CFR 60.42b(j) subpart Db which applies to the duct burner; 2.00% sulfur by weight from the New York State State Implementation Plan (SIP) 6NYCRR 225-1.2(c); and 1.50% sulfur by weight from the New York State non-SIP rule, 6 NYCRR 225-1.2(d). The PSD capping conditions in this permit consists of the most restrictive limit, monitoring, recording and reporting requirements from the above applicable rules.

The PSD capping permit limits the NOx emissions to 9 parts per million (ppm) per hour when the gas turbine is combusting natural gas. This limit is more restrictive than the 97 ppm NOx limit in the NSPS for Combustion Gas Turbines, 40 CFR 60 subpart GG 60.332(a)(1) for a four hour rolling average, and the 42 ppmv limit in the NOx Reasonably Available Control Technology (RACT) regulation, 6NYCRR Part 227-2.4(e)(2) for a 24-hour daily average.

The PSD capping permit limits the NOx emissions to 18 ppm per hour when the gas turbine is combusting fuel oil. This limit is more restrictive than the 97 ppm NOx limit in the NSPS for Combustion Gas Turbines, 40 CFR 60 subpart GG 60.332(a)(1) for a four hour rolling average, and 65 ppmv limit from the NOx Reasonably Available Control Technology (RACT) regulation, 6NYCRR Part 227-2.4(e)(2) for a 24-hour daily average.

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: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

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 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 compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for permit renewals, modifications and transfers

Applications for Permit Renewals and Modifications

Permit modifications, suspensions or revocations by the Department

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 9

HEADQUARTERS

Submission of application for permit modification or renewal-REGION 9

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: 6NYCRR 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:



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

Condition 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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 4.2:

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 4.3:

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 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 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 6: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 6.1:

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;

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- 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 7: Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 7.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165

Condition 8: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 8.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: INDECK-OLEAN LIMITED PARTNERSHIP
600 N. BUFFALO GROVE ROAD
BUFFALO GROVE, IL 60089

Facility: INDECK OLEAN ENERGY CENTER
140 MOORE AVE
OLEAN, NY 14760

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

Permit Effective Date: 09/12/2007

Permit Expiration Date: 09/11/2012



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-7: Facility Permissible Emissions
- 25 6NYCRR 204-1.6: Compliance Certification
- 26 6NYCRR 204-2.1: Submissions to the Department.
- 27 6NYCRR 204-4.1: Compliance Certification
- 28 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 29 6NYCRR 204-8.4: Compliance Certification
- 30 6NYCRR 204-8.5: Compliance Certification
- 31 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

Emission Unit Level

- 32 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 33 6NYCRR 201-6: Process Definition By Emission Unit

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- 34 6NYCRR 201-6: Compliance Certification



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- *35 6NYCRR 201-7: Capping Monitoring Condition
- *36 6NYCRR 201-7: Capping Monitoring Condition
- *37 6NYCRR 201-7: Capping Monitoring Condition
- *38 6NYCRR 201-7: Capping Monitoring Condition
- *39 6NYCRR 201-7: Capping Monitoring Condition
- *40 6NYCRR 201-7: Capping Monitoring Condition
- *41 6NYCRR 201-7: Capping Monitoring Condition
- *42 6NYCRR 201-7: Capping Monitoring Condition
- *43 6NYCRR 201-7: Capping Monitoring Condition
- *44 6NYCRR 201-7: Capping Monitoring Condition
- *45 6NYCRR 201-7: Capping Monitoring Condition
- *46 6NYCRR 201-7: Capping Monitoring Condition
- 47 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 48 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 49 40CFR 60.43b(f), NSPS Subpart Db: Compliance Certification
- 50 40CFR 60.49b(d), NSPS Subpart Db: Compliance Certification

EU=O-00001,EP=00001

- *51 6NYCRR 201-7: Capping Monitoring Condition
- *52 6NYCRR 201-7: Capping Monitoring Condition
- *53 6NYCRR 201-7: Capping Monitoring Condition
- *54 6NYCRR 201-7: Capping Monitoring Condition

EU=O-00001,EP=00001,Proc=100

- *55 6NYCRR 201-7: Capping Monitoring Condition
- *56 6NYCRR 201-7: Capping Monitoring Condition

EU=O-00001,EP=00001,Proc=200

- *57 6NYCRR 201-7: Capping Monitoring Condition
- *58 6NYCRR 201-7: Capping Monitoring Condition

EU=O-00001,EP=00001,Proc=500

- *59 6NYCRR 201-7: Capping Monitoring Condition
- *60 6NYCRR 201-7: Capping Monitoring Condition
- *61 6NYCRR 201-7: Capping Monitoring Condition
- *62 6NYCRR 201-7: Capping Monitoring Condition
- *63 6NYCRR 201-7: Capping Monitoring Condition
- *64 6NYCRR 201-7: Capping Monitoring Condition
- *65 6NYCRR 201-7: Capping Monitoring Condition
- *66 6NYCRR 201-7: Capping Monitoring Condition
- *67 6NYCRR 201-7: Capping Monitoring Condition
- *68 6NYCRR 201-7: Capping Monitoring Condition
- *69 6NYCRR 201-7: Capping Monitoring Condition
- *70 6NYCRR 201-7: Capping Monitoring Condition



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EU=O-00001,EP=00001,Proc=600

- *71 6NYCRR 201-7: Capping Monitoring Condition
- *72 6NYCRR 201-7: Capping Monitoring Condition
- *73 6NYCRR 201-7: Capping Monitoring Condition
- *74 6NYCRR 201-7: Capping Monitoring Condition
- *75 6NYCRR 201-7: Capping Monitoring Condition
- *76 6NYCRR 201-7: Capping Monitoring Condition
- *77 6NYCRR 201-7: Capping Monitoring Condition
- *78 6NYCRR 201-7: Capping Monitoring Condition

EU=O-00001,EP=00001,Proc=700

- *79 6NYCRR 201-7: Capping Monitoring Condition
- *80 6NYCRR 201-7: Capping Monitoring Condition
- *81 6NYCRR 201-7: Capping Monitoring Condition
- *82 6NYCRR 201-7: Capping Monitoring Condition

STATE ONLY ENFORCEABLE CONDITIONS

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- 83 ECL 19-0301: Contaminant List
- 84 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 85 6NYCRR 211.2: Air pollution prohibited
- 86 6NYCRR 237-1.6(c): Compliance Demonstration
- 87 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 88 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative
- 89 6NYCRR 237-4.1: Compliance Demonstration
- 90 6NYCRR 237-7.1: Submission of NOx allowance transfers
- 91 6NYCRR 237-8: Compliance Demonstration
- 92 6NYCRR 238-1.6(c): Compliance Demonstration
- 93 6NYCRR 238-1.6(e): Record keeping and Reporting Requirements
- 94 6NYCRR 238-2.1: Submissions to the Department
- 95 6NYCRR 238-4.1: Compliance Demonstration
- 96 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 97 6NYCRR 238-8: 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 - 6NYCRR Part 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 - 6NYCRR Part 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



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Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 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 Part 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 Part 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 Part 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 - 6NYCRR Part 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

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order to maintain compliance with the conditions of this permit.

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

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

Item I: Severability - 6 NYCRR Part 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 Part 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

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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 Part 201-6.5(i)

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

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

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

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

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

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

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



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees

Effective between the dates of 09/12/2007 and 09/11/2012

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 09/12/2007 and 09/11/2012

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

Item 3.1:

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

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

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

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

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 09/12/2007 and 09/11/2012

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 6: Compliance Certification
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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:

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Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) 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:

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 202-2.1

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

Item 7.2:
Compliance Certification shall include the following monitoring:

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

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

Condition 8: Recordkeeping requirements
Effective between the dates of 09/12/2007 and 09/11/2012



Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/12/2007 and 09/11/2012**

Applicable Federal Requirement: 6NYCRR 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.

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

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

**Condition 10: Maintenance of Equipment
Effective between the dates of 09/12/2007 and 09/11/2012**

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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

**Condition 11: Recycling and Salvage
Effective between the dates of 09/12/2007 and 09/11/2012**

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Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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 09/12/2007 and 09/11/2012

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

Item 13.1:

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

Condition 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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



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

Item 15.1:

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

Condition 16: General Condition - Right to Inspect

Effective between the dates of 09/12/2007 and 09/11/2012

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

Item 16.1:

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

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

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

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

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

Condition 17: Standard Requirements - Progress Reports

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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



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

Condition 18: Off Permit Changes
Effective between the dates of 09/12/2007 and 09/11/2012

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

Item 18.1:

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

(i) For each such change, the written notification required above shall include a brief description 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 19: Required Emissions Tests
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 19.1:

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

Condition 20: Visible Emissions Limited
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 211.3

Item 20.1:



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

Condition 21: Accidental release provisions.
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 40CFR 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 09/12/2007 and 09/11/2012

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



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Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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

Emission Unit: O-00001

Emission Unit Description:

This emission unit (EU) consists of a General Electric Frame 6 combustion gas turbine (CGT) whose exhaust gases are reheated by a duct burner (DB), that then pass through a heat recovery steam generator (HRSG), a selective catalytic oxidizer (SCR) to reduce nitrogen oxide (NOx) emissions, and then out the stack, emission point 1. The HRSG generates steam by absorbing heat from the exhaust gases of the CGT and DB. The HRSG provides steam for NOx control to the CGT, steam to the condensing steam turbine generator, and process steam to the steam host. The gas turbine and duct burner only fire natural gas and/or #2 fuel oil.

Building(s): 1

Condition 24: Facility Permissible Emissions

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 24.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000630-08-0 PTE: 313,106 pounds per year
Name: CARBON MONOXIDE

CAS No: 007446-09-5 PTE: 276,013 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0 PTE: 250,668 pounds per year
Name: OXIDES OF NITROGEN

Condition 25: Compliance Certification

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 204-1.6

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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:

Plant Name - Indeck Olean Energy Center

ORIS/Facility Code - 54076

NOx Budget Unit (under Section 204 -1.4) -
00001

NITROGEN OXIDES REQUIREMENTS

(1) Effective May 1, 2003, this NOx Budget unit shall hold NOx allowances available for compliance deductions under Section 204-6.5, as of the NOx allowance transfer deadline (midnight of November 30th), in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period (May 1st to September 30th) from the unit, as determined in accordance with Subpart 204-8.

(2) Each ton of nitrogen oxides emitted in excess of the NOx Budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

(3) NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with Subparts 204-5, 204-6, and 204-7.

(4) A NOx allowance shall not be deducted, in order to comply with the requirements under paragraph (1), for a control period in a year prior to the year for which the NOx allowance was allocated.

EXCESS EMISSIONS REQUIREMENTS

The owners and operators of a NOx Budget unit that has excess emissions in any control period shall:

(1) Forfeit the NOx allowances required for deduction under Paragraph 204-6.5(d)(1); and

(2) Pay any fine, penalty, or assessment or comply with any other remedy imposed under Paragraph 204-6.5(d)(3).

RECORDKEEPING

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(1) Unless otherwise provided, the owners and operators of the NOx Budget source and each NOx Budget unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Department or the Administrator.

(i) The account certificate of representation for the NOx authorized account representative for the source and each NOx Budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with Section 204-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.

(ii) All emissions monitoring information, in accordance with Subpart 204-8.

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

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

(2) The NOx authorized account representative of a NOx Budget source and each NOx Budget unit at the source shall submit the reports and compliance certifications required under the NOx Budget Trading Program, including those under Subparts 204-4 or 204-8.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 26: Submissions to the Department.
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 26.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph



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204-2.4(a)(4)) by the NOx authorized account representative.

Condition 27: Compliance Certification
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 27.1:

The Compliance Certification activity will be performed for the Facility.

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Applicability and deadline - For each control period in which one or more NOx Budget units at a source are subject to the NOx Budget emissions limitation, the NOx authorized account representative of the source shall submit to the Department and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Contents of report - The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NOx Budget unit;
- (2) At the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under Section 204-6.5 for the control period; and
- (3) The compliance certification described below.

Compliance certification - In the compliance certification report, the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx Budget units at the source in compliance with the NOx Budget Trading Program, whether each NOx Budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx Budget Trading Program applicable

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to the unit, including:

(1) Whether the unit was operated in compliance with the NOx Budget emissions limitation;

(2) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;

(3) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8.

If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;

(4) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and

(5) If a change is required to be reported under paragraph (c)(4) of this section, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: NOVEMBER 30TH

**Condition 28: Requirements for installation, certification, and data accounting.
Effective between the dates of 09/12/2007 and 09/11/2012**

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 28.1: The owner or operator of each NOx Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NOx mass. This includes



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all systems required to monitor NOx emission rate, NOx concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.

(2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NOx allowance allocations.

(3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.

(4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

Condition 29: Compliance Certification

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NOx Budget unit shall submit written notice to the Department and the USEPA Administrator in accordance with the requirements of this subpart as follows:

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office. All Authorized Account Representative changes shall be sent to the NYSDEC central office.

All quarterly emission data shall be electronically filed with the USEPA Clean Air Markets Division with a copy (disc or hard copy) to the NYSDEC offices.

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division
1200 Pennsylvania Avenue, NW

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Mail Code 6204J
Washington D.C. 20460

CEM Coordinator
USEPA-Region 2
2890 Woodbridge Avenue
Edison, N.J. 08837

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

AAR changes should be sent to the attention of:

NYSDEC
Stationary Source Planning Section
Bureau of Air Quality Planning
625 Broadway, 2nd Floor
Albany NY 12233-3251

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 30: Compliance Certification
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 204-8.5

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The NO_x authorized account representative shall submit each quarterly report to the department and the administrator within 30 days following the end of the



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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.

- For units subject to an Acid Rain Emissions limitation, quarterly reports shall include all of the data and information required in subpart H of 40 CFR part 75 for each NO_x budget unit (or group of units using a common stack) as well as information required in subpart G of 40 CFR part 75.

- For units not subject to an acid rain emissions limitation, quarterly reports are only required to include all of the data and information required in subpart H of 40 CFR part 75 for each NO_x budget unit (or group of units using a common stack).

Compliance certification

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

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

(ii) for a unit with add-on NO_x emission controls and for all hours where 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 monitoring plan and the substitute values do not systematically underestimate NO_x emissions; and

(iii) for a unit that is reporting on a control period basis under this subdivision 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.

The NO_x authorized account representative shall comply



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with all recordkeeping and reporting requirements in this section and with the requirements of section 204-2.1(e) of 6 NYCRR Part 204.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 31: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 40CFR 72

Item 31.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 32: Emission Point Definition By Emission Unit
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 32.1:

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

Emission Unit: O-00001

Emission Point: 00001

Height (ft.): 175 Diameter (in.): 120
NYTMN (km.): 4665.02 NYTME (km.): 214.229 Building: 1

Condition 33: Process Definition By Emission Unit
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 33.1:

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

Emission Unit: O-00001

Process: 100

Source Classification Code: 2-02-002-03

Process Description:



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GE Frame 6 combustion gas turbine firing on natural gas and the duct burner not operating.

Emission Source/Control: 00CGT - Combustion
Design Capacity: 535 million Btu per hour

Emission Source/Control: 00SCR - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: STEAM - Control
Control Type: STEAM OR WATER INJECTION

Item 33.2:

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

Emission Unit: O-00001
Process: 200 Source Classification Code: 2-02-001-03
Process Description:
GE Frame 6 combustion gas turbine firing on distillate oil and the duct burner not operating.

Emission Source/Control: 00CGT - Combustion
Design Capacity: 535 million Btu per hour

Emission Source/Control: 00SCR - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: STEAM - Control
Control Type: STEAM OR WATER INJECTION

Item 33.3:

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

Emission Unit: O-00001
Process: 500 Source Classification Code: 2-02-002-03
Process Description:
GE Frame 6 combustion gas turbine and duct burner both firing natural gas.

Emission Source/Control: 000DB - Combustion
Design Capacity: 249 million Btu per hour

Emission Source/Control: 00CGT - Combustion
Design Capacity: 535 million Btu per hour

Emission Source/Control: 00SCR - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

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Emission Source/Control: STEAM - Control
Control Type: STEAM OR WATER INJECTION

Item 33.4:

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

Emission Unit: O-00001

Process: 600

Source Classification Code: 2-02-001-03

Process Description:

GE Frame 6 combustion gas turbine firing distillate oil
and the duct burner firing either natural gas or
distillate oil.

Emission Source/Control: 000DB - Combustion

Design Capacity: 249 million Btu per hour

Emission Source/Control: 00CGT - Combustion

Design Capacity: 535 million Btu per hour

Emission Source/Control: 00SCR - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: STEAM - Control

Control Type: STEAM OR WATER INJECTION

Item 33.5:

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

Emission Unit: O-00001

Process: 700

Source Classification Code: 2-02-002-01

Process Description:

GE Frame 6 combustion gas turbine firing natural gas and
distillate oil simultaneously, with or without the duct
burner firing natural gas or distillate oil.

Emission Source/Control: 000DB - Combustion

Design Capacity: 249 million Btu per hour

Emission Source/Control: 00CGT - Combustion

Design Capacity: 535 million Btu per hour

Emission Source/Control: 00SCR - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: STEAM - Control

Control Type: STEAM OR WATER INJECTION

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Condition 34: Compliance Certification
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 34.1:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. The combustion gas turbine must be operating when the duct burner is operating.
2. Monitor and record hourly fuel consumption for the gas turbine and the duct burner separately to show that the turbine is operating when the duct burner operates.
3. These records must be available for department staff to review upon request.

Monitoring Frequency: HOURLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 35: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 35.1:

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:

40CFR 52-A.21

Item 35.2:

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

Item 35.3:

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



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hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 35.4:

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 35.5:

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 35.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

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

Item 35.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. The combustion inlet air temperature to the combustion gas turbine must continuously be measured and recorded. Measurements shall be accurate to within +/- 3 degrees Fahrenheit. This requirement is from the Prevention of Significant Deterioration (PSD) avoidance permit originally issued to the facility.
2. Report if the temperature measuring device operated properly during the quarter. If not, explain the problem and corrective actions taken.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 36: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

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Applicable Federal Requirement: 6NYCRR 201-7

Item 36.1:

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:

40CFR 52-A.21

Item 36.2:

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

Item 36.3:

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 36.4:

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 36.5:

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 36.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

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

Item 36.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:



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- 1) The gas turbine may operate at Peak Load (108% of base load), but not for more than 500 hours during any consecutive 365 day period.
- 2) Daily, record the number of hours that the turbine operates at peak load and calculate the previous 365-day total hours of peak load operation. If the turbine operates at peak load during two or more quarters of an hour it will be counted as a peak load hour of operation.
- 3) Report the total hours the turbine operated at peak load during the previous 365 day period, as of the last day of the quarter.

Parameter Monitored: ENGINE OPERATION

Upper Permit Limit: 500 hours

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 37: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 37.1:

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:

40CFR 52-A.21

Item 37.2:

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

Item 37.3:

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.

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Item 37.4:

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 37.5:

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 37.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 37.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- 1.) The sulfur content of fuel oil is limited to 0.25% sulfur by weight. This limit was established to avoid applicability of the Prevention of Significant Deteriorations requirements in 40 CFR 52.21(j).
- 2.) The permittee has elected to sample each batch of oil delivered as allowed in 40 CFR 60.334(i)(1)). Oil sampling may be performed either by the owner or operator, an outside laboratory, or a fuel supplier, provided that samples are representative and that sampling is performed according to either the single tank composite sampling procedure or the all-levels sampling procedure in ASTM D4057-88.
- 3.) The total sulfur content of the fuel shall be determined using approved analytical methods listed in 40 CFR 60.335(b)(10) or 40 CFR Part 75.
- 4.) The owner or operator shall submit reports of excess sulfur content in accordance with §60.7(c). Excess sulfur content is defined as when the sulfur content of a batch



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of oil delivered exceeds the sulfur in fuel limit above. If this occurs, the owner or operator shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) until all of the oil from the delivery has been combusted. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option [40CFR 60.334(j)(2)(ii)].

5.) All excess emission reports required under §60.7(c) shall be postmarked by the 30th day following the end of each calendar quarter [40 CFR 60.334(j)(5)].

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.25 percent by weight
Reference Test Method: Part 60.335 or Part 75
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 38: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 38.1:

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:

40CFR 52-A.21

Item 38.2:

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

Item 38.3:

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



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hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 38.4:

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 38.5:

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 38.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 38.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- 1.) The turbine shall not fire more than 4.94 million gallons of distillate fuel oil during any 365 day period. This limit is from the Prevention of Significant Deterioration (PSD) capping permit issued to the plant.
- 2.) Fuel oil use shall be recorded daily.
- 3.) Report the 365-day rolling total use of fuel oil for each day of a calendar quarter on a quarterly basis.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 4940000 gallons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 10/30/2007.

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

Condition 39: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 39.1:

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:

40CFR 52-A.21

Item 39.2:

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

Item 39.3:

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 39.4:

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 39.5:

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 39.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 39.7:

Compliance Certification shall include the following monitoring:

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Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

STARTUP or SHUTDOWN firing NATURAL GAS

The original PSD avoidance permit provided a three hour window during startup and shutdown when the emission limits were not enforce because the source could not technically meet them during these periods. It takes up to three hours of operation to generate the steam in the HRSG that is then injected into the GT to control NOx formation, and for the SCR media to come up to operating temperature. During a shutdown there may be limited steam available for steam injection to control NOx.

- 1.) Firing natural gas, the combustion gas turbine shall not emit more than 28 pounds of CO during a startup or shutdown period. A startup period begins when the combustion process is initiated and lasts for 180 minutes (three hours). A shutdown period begins when the unit goes below the lowest level of stable operation or 80% of MW production.
- 2.) The hourly emissions for any partial hour after the end of the 180 minutes of startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.
- 3.) The total emissions from each startup and shutdown period shall be recorded. Data recording should be adjusted to reflect the CEM response time.
- 4.) CEM calibrations shall be avoided during the 180-minute startup or shutdown periods when feasible.
- 5.) Excess emissions shall be reported to the Department within 48 hours of occurrence and include an explanation of the cause, the corrective action and the actual emissions.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Upper Permit Limit: 28 pounds
Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 40: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 40.1:

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:

40CFR 52-A.21

Item 40.2:

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

Item 40.3:

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 40.4:

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 40.5:

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 40.6:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042



Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 40.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1) Emissions of carbon monoxide from the facility shall be limited to 156.6 tons per year to avoid Prevention of Significant Air Quality (PSD) review under 40 CFR 52.21. The facility shall use the continuous emissions monitoring system (CEMS) to monitor compliance with this limit.
- 2) The actual emissions in pounds per hour shall be calculated and summed for each 24-hour day.
- 3) Emissions from the previous 365-day periods shall be summed on a rolling daily basis.
- 4) The largest 365-day CO emission total during each semi-annual period shall be reported semi-annually, along with the date it occurred.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 156.6 tons per year

Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 41: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 41.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of



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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:

40CFR 52-A.21

Item 41.2:

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

Item 41.3:

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 41.4:

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 41.5:

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 41.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

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

Item 41.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emissions of oxides of nitrogen from the facility shall be limited to 125.3 tons per year to avoid Prevention of Significant Air Quality (PSD) review under 40 CFR 52.21. The facility shall use results from the continuous emissions monitoring system (CEMS) to monitor compliance with this limit.

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- 1) The actual emissions in pounds per hour shall be calculated and summed for each 24-hour day.
- 2) Emissions from the previous 365-day periods shall be summed on a rolling daily basis.
- 3) The largest 365-day NOx emission total during each semi-annual period shall be reported semi-annually, along with the date it occurred.

Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 125.3 tons per year
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL ROLLED DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 42: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 42.1:

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:

40CFR 52-A.21

Item 42.2:

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

Item 42.3:

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 42.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an



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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 42.5:

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 42.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

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

Item 42.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

STARTUP or SHUTDOWN firing FUEL OIL

The original PSD avoidance permit provided a three hour window during startup and shutdown when the emission limits were not enforce because the source could not technically meet them during these periods. It takes up to three hours of operation to generate the steam in the HRSG that is then injected into the GT to control NO_x formation, and for the SCR media to come up to operating temperature. During a shutdown there may be limited steam available for steam injection to control NO_x.

1.) Firing fuel oil, the combustion gas turbine shall not emit more than 248 pounds of NO_x during a startup or shutdown period. A startup period begins when the combustion process is initiated and lasts for 180 minutes (three hours). A shutdown period begins when the unit goes below the lowest level of stable operation or 80% of MW production.

2.) The hourly emissions for any partial hour after the end of the 180 minutes of startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period



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to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.

3.) The total emissions from each startup and shutdown period shall be recorded. Data recording should be adjusted to reflect the CEM response time.

4.) CEM calibrations shall be avoided during the 180-minute startup or shutdown periods when feasible.

5.) Excess emissions shall be reported to the Department within 48 hours of occurrence and include an explanation of the cause, the corrective action and the actual emissions.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 248 pounds

Reference Test Method: 40 CFR Part 60, Appendix B, PS 2

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 43: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 43.1:

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:

40CFR 52-A.21

Item 43.2:

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

Item 43.3:



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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 43.4:

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 43.5:

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 43.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 43.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- 1.) The duct burner shall not fire more than 2.45 million gallons of distillate fuel oil during any 365 day period. This limit is from the Prevention of Significant Deterioration (PSD) capping permit issued to the plant.
- 2.) Fuel oil use shall be recorded daily.
- 3.) Report the 365 day rolling total use of fuel oil for each day of a calendar quarter on a quarterly basis.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 2450000 gallons per year

Monitoring Frequency: DAILY



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Averaging Method: ANNUAL TOTAL ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 44: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 44.1:

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:

40CFR 52-A.21

Item 44.2:

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

Item 44.3:

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 44.4:

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 44.5:

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 44.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

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



Item 44.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

STARTUP or SHUTDOWN firing NATURAL GAS

The original PSD avoidance permit provided a three hour window during startup and shutdown when the emission limits were not enforce because the source could not technically meet them during these periods. It takes up to three hours of operation to generate the steam in the HRSG that is then injected into the GT to control NOx formation, and for the SCR media to come up to operating temperature. During a shutdown there may be limited steam available for steam injection to control NOx.

- 1.) Firing natural gas, the combustion gas turbine shall not emit more than 156 pounds of NOx during a startup or shutdown period. A startup period begins when the combustion process is initiated and lasts for 180 minutes (three hours). A shutdown period begins when the unit goes below the lowest level of stable operation or 80% of MW production.
- 2.) The hourly emissions for any partial hour after the end of the 180 minutes of startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.
- 3.) The total emissions from each startup and shutdown period shall be recorded. Data recording should be adjusted to reflect the CEM response time.
- 4.) CEM calibrations shall be avoided during the 180-minute startup or shutdown periods when feasible.
- 5.) Excess emissions shall be reported to the Department within 48 hours of occurrence and include an explanation of the cause, the corrective action and the actual emissions.



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 156 pounds
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 45.1:

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:

40CFR 52-A.21

Item 45.2:

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

Item 45.3:

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 45.4:

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 45.5:

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.

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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042



Item 45.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 45.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

STARTUP or SHUTDOWN firing FUEL OIL

The original PSD avoidance permit provided a three hour window during startup and shutdown when the emission limits were not enforce because the source could not technically meet them during these periods. It takes up to three hours of operation to generate the steam in the HRSG that is then injected into the GT to control NO_x formation, and for the SCR media to come up to operating temperature. During a shutdown there may be limited steam available for steam injection to control NO_x.

1.) Firing fuel oil, the combustion gas turbine shall not emit more than 46 pounds of CO during a startup or shutdown period. A startup period begins when the combustion process is initiated and lasts for 180 minutes (three hours). A shutdown period begins when the unit goes below the lowest level of stable operation or 80% of MW production.

2.) The hourly emissions for any partial hour after the end of the 180 minutes of startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.

3.) The total emissions from each startup and shutdown period shall be recorded. Data recording should be adjusted to reflect the CEM response time.



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4.) CEM calibrations shall be avoided during the 180-minute startup or shutdown periods when feasible.

5.) Excess emissions shall be reported to the Department within 48 hours of occurrence and include an explanation of the cause, the corrective action and the actual emissions.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 46 pounds

Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 46: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 46.1:

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:

40CFR 52-A.21

Item 46.2:

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

Item 46.3:

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 46.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an



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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 46.5:

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 46.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 46.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

1. The gas turbine may not operate below 80% load except during periods of startup or shutdown. 80% load corresponds to 26.6 MW (gas firing at 48 degrees Fahrenheit). Figure 1 correlates this limit to the current combustion inlet air temperature.

2. The hourly megawatts (MW) load shall be recorded and compared to the 80% MW load for the respective inlet air temperature.

Parameter Monitored: ELECTRICAL LOAD OUTPUT

Lower Permit Limit: 80 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

**Condition 47: Applicability of General Provisions of 40 CFR 60 Subpart A
Effective between the dates of 09/12/2007 and 09/11/2012**

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Item 47.1:

This Condition applies to Emission Unit: O-00001

Item 47.2:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 48: EPA Region 2 address.

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 48.1:

This Condition applies to Emission Unit: O-00001

Item 48.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Condition 49: Compliance Certification

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 40CFR 60.43b(f), NSPS Subpart Db

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Regulated Contaminant(s):



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Facility DEC ID: 9041200042

CAS No: 0NY075-00-0 PARTICULATES

Item 49.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

- 1.) No owner or operator shall allow the discharge of 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 [40 CFR 60.43b(f) and 6NYCRR 227-1.3(a)].
- 2.) The owner or operator shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system [40CFR 60.48b(a)].
- 3.) The procedures found in 40 CFR 60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems [40CFR 60.48b(e)].
- 4.) The owner or operator shall maintain records of opacity [40CFR 60.49b(f)].
- 5.) Excess emission reports shall be submitted every six months to the Administrator for any excess emissions which occurred during the reporting period [40CFR 60.49b(h) & 60.49b(w)]. If there is no excess opacity during the reporting period that should be stated in the periodic compliance report.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR Part 60 Appendix B, PS 1

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Condition 50: Compliance Certification

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 40CFR 60.49b(d), NSPS Subpart Db

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

DUCT BURNER

- 1.) The owner or operator shall record and maintain records of the amounts of each fuel combusted during each day in the duct burner and calculate the annual capacity factor individually for distillate oil and natural gas for each calendar quarter.
- 2.) The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.
- 3.) On a semi-annual basis report the annual capacity factor for each month of the reporting period.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 51: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 51.1:

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:

40CFR 52-A.21

Item 51.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits,

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terms, conditions and standards in this permit.

Item 51.3:

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 51.4:

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 51.5:

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 51.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 51.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1.) The ammonia slip emissions shall not exceed 7.3 pounds per hour. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements.
- 2.) The emissions shall be monitored by a continuous emission monitoring system (CEMS). The ammonia (NH₃) emissions are determined continuously by measuring the difference between the oxidized exhaust gas sample stream (NH₃ + NO₂ + NO) and the non-oxidized sample stream (NO₂ + NO). An NH₃ converter is used to oxidize NH₃ into NO which is then analyzed by a NO_x analyzer in the stack.

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- 3.) The NH₃ converter must be maintained and serviced according to the manufactures recommendations.
- 4.) The oxidized gas stream NO_x analyzer must follow the daily calibration requirements of 40 CFR Part 60, Appendix F and 40 CFR Part 60.13(d).
- 5.) The non-oxidized gas sample NO_x analyzer that must conform to the 40 CFR Part 75 Quality Assurance conditions as required by other applicable regulations.
- 6.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.

Manufacturer Name/Model Number: CISCO
Parameter Monitored: AMMONIA
Upper Permit Limit: 7.3 pounds per hour
Reference Test Method: 40 CFR Part 60, Appendix F & 40 CFR Part 60.13
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 52: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 52.1:

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:

40CFR 52-A.21

Item 52.2:

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

Item 52.3:

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

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control requirements, regulations or law.

Item 52.4:

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 52.5:

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 52.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 52.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1.) The ammonia slip emissions shall not exceed 10 parts per million by volume (ppmv), dry, corrected to 15% oxygen. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements.
- 2.) The emissions shall be monitored by a continuous emission monitoring system (CEMS). The ammonia (NH₃) emissions are determined continuously by measuring the difference between the oxidized exhaust gas sample stream (NH₃ + NO₂ + NO) and the non-oxidized sample stream (NO₂ + NO). An NH₃ converter is used to oxidize NH₃ into NO which is then analyzed by a NO_x analyzer in the stack.
- 3.) The NH₃ converter must be maintained and serviced according to the manufactures recommendations.
- 4.) The oxidized gas stream NO_x analyzer must follow the daily calibration requirements of 40 CFR Part 60, Appendix



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F and 40 CFR Part 60.13(d).

5.) The non-oxidized gas sample NO_x analyzer that must conform to the 40 CFR Part 75 Quality Assurance conditions as required by other applicable regulations.

6.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: AMMONIA

Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix F & 40 CFR Part 60.13

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 53: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 53.1:

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:

40CFR 52-A.21

Item 53.2:

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

Item 53.3:

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 53.4:

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



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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 53.5:

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 53.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 53.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- 1.) The ammonia slip emissions shall not exceed 7.3 pounds per hour. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements.
- 2.) Once a permit term an ammonia stack test shall be conducted to demonstrate compliance with the respective emission limit, and to test the accuracy of the plants ammonia monitoring system. The test only needs to be conducted on one fuel per test.
- 3.) An emission test protocol must be submitted at least 30 days before the planned testing. A test report shall be submitted within 60 days of the test.

Parameter Monitored: AMMONIA

Upper Permit Limit: 7.3 pounds per hour

Reference Test Method: 40CFR Pt 63 App A, Method 301 and EPA CTM-027

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 54: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

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Applicable Federal Requirement: 6NYCRR 201-7

Item 54.1:

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:

40CFR 52-A.21

Item 54.2:

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

Item 54.3:

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 54.4:

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 54.5:

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 54.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 54.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- 1.) The ammonia slip emissions shall not exceed 10 parts



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per million by volume (ppmv), dry, corrected to 15% oxygen. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements.

2.) Once a permit term an ammonia stack test shall be conducted to demonstrate compliance with the respective emission limit, and to test the accuracy of the plants ammonia monitoring system. The test only needs to be conducted on one fuel per year.

3.) An emission test protocol must be submitted at least 30 days before the planned testing. A test report shall be submitted within 60 days of the test.

Parameter Monitored: AMMONIA

Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40CFR Pt 63 App A, Method 301 and EPA CTM-027

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 55: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 55.1:

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:

40CFR 52-A.21

Item 55.2:

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

Item 55.3:

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.

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Item 55.4:

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 55.5:

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 55.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 100

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

Item 55.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE FIRING ALONE ON NATURAL GAS:

- 1.) Emissions of carbon monoxide (CO) from the gas turbine while firing natural gas without the duct burner firing shall not exceed an hourly average of 10 ppmvd (dry, corrected to 15% oxygen). This limit was established to avoid the applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) A continuous emission monitoring system must be used to monitor CO emissions according to Part 60, Appendix B, Performance Specification 4A.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR



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60.7(c).

Manufacturer Name/Model Number: CISCO
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 10 parts per million by volume (dry,
corrected to 15% O₂)
Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 56: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 56.1:

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:

40CFR 52-A.21

Item 56.2:

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

Item 56.3:

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 56.4:

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 56.5:

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.

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Item 56.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 100

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

Item 56.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE ALONE FIRING ON NATURAL GAS:

- 1.) Emissions of oxides of nitrogen (NO_x) from the gas turbine while firing natural gas, without the duct burner firing, shall not exceed an hourly average of 9 ppmvd (dry, corrected to 15% oxygen). This limit was established to avoid the applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) A continuous emission monitoring system must be used to monitor NO_x emissions according to Part 60, Appendix B, Performance Specification 2.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 9 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix B, PS 2

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 57: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 57.1:

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:

40CFR 52-A.21

Item 57.2:

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

Item 57.3:

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 57.4:

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 57.5:

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 57.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 200

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

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Item 57.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE ALONE FIRING DISTILLATE OIL:

- 1.) Emissions of oxides of nitrogen (NOx) from the gas turbine while firing fuel oil without the duct burner firing, shall not exceed an hourly average of 18 ppmvd (dry, corrected to 15% oxygen). This limit was established to avoid the applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) A continuous emission monitoring system must be used to monitor NOx emissions according to Part 60, Appendix B, Performance Specification 2.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 18 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix B, PS 2

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 58: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 58.1:



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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:

40CFR 52-A.21

Item 58.2:

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

Item 58.3:

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 58.4:

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 58.5:

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 58.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 200

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

Item 58.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
NORMAL OPERATION FOR THE TURBINE ALONE FIRING DISTILLATE
OIL:

- 1.) Emissions of carbon monoxide (CO) from the gas

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turbine while firing fuel oil without the duct burner firing shall not exceed an hourly average of 10 ppmvd (dry, corrected to 15% oxygen). This limit was established to avoid the applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.

2.) A continuous emission monitoring system must be used to monitor CO emissions according to Part 60, Appendix B, Performance Specification 4A.

3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.

4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 59: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 59.1:

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:

40CFR 52-A.21

Item 59.2:

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



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Item 59.3:

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 59.4:

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 59.5:

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 59.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 59.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
NATURAL GAS

1.) Particulate emissions from the gas turbine and duct burner together while firing natural gas shall not exceed 0.0086 lb/mmBtu. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.

2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.



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3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.0086 pounds per million Btus

Reference Test Method: 40 CFR Part 60, Appendix A, Method 5 or 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 60: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 60.1:

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:

40CFR 52-A.21

Item 60.2:

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

Item 60.3:

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 60.4:

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 60.5:

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 60.6:



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The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 60.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

PEAK LOAD OPERATION for the TURBINE AND DUCT BURNER
FIRING NATURAL GAS:

1.) Under PEAK LOAD the combined emissions of carbon monoxide (CO) from the gas turbine and duct burner while firing natural gas shall not exceed the values from the attached performance curves (Figure # 6) for the corresponding combustion air inlet temperature. The CO limit of 35.0 lb/hr corresponds to an inlet air temperature of 46 degrees F.

2.) The gas turbine typically operates at peak load for portions of an hour and operates the balance of the hour at base load. Therefore, the hourly average stack emissions shall not exceed the emission limit as calculated in item 3 when the gas turbine operates at peak load for any portion of a clock hour.

3.) $E = (E1 + E2 + E3 + E4)/4$

Where,

E is the emission limit in pounds per hour

E1 is the calculated emission limit for the 1st quarter of the hour*,

E2 is the calculated emission limit for the 2nd quarter of the hour,

E3 is the calculated emission limit for the 3rd quarter of the hour,

E4 is the calculated emission limit for the 4th quarter of the hour,

* The computer that operates the gas turbine calculates an equivalent hourly emission limit for each minute of operation based on ambient air temperature and load, among



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other factors. The temperature and load curves are attached. The equivalent hourly emission limit for each minute is used to calculate the equivalent hourly emission limit for each quarter in the hour.

4.) The emissions shall be monitored by a continuous monitoring system (CEMS) meeting Performance Specification 4A in 40 CFR 60 Appendix B.

5.) The actual emissions and the calculated limit must be recorded each hour.

6.) Record keeping, reporting and monitoring shall be conducted according to 60.7 and 60.13. (The 35.0 lb/hr limit below is a place holder for this condition. The enforceable limit varies according to item 3 above.)

Manufacturer Name/Model Number: CISCO
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 35.0 pounds per hour
Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 61: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 61.1:

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:

40CFR 52-A.21

Item 61.2:

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

Item 61.3:

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



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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 61.4:

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 61.5:

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 61.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 61.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
ON NATURAL GAS:

- 1.) Emissions of oxides of nitrogen (NO_x) from the gas turbine while firing natural gas with the duct burner firing natural gas, shall not exceed an hourly average of 9 ppmvd (dry, corrected to 15% oxygen). This limit was established avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) A continuous emission monitoring system must be used to monitor NO_x emissions according to Part 60, Appendix B, Performance Specification 2.
- 3.) Recordkeeping, reporting and monitoring shall be

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conducted according to 60.7 and 60.13.

4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 9 parts per million by volume (dry, corrected to 15% O₂)
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 62: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 62.1:

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:

40CFR 52-A.21

Item 62.2:

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

Item 62.3:

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 62.4:

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.

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Item 62.5:

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 62.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 62.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
ON NATURAL GAS:

- 1.) Combined emissions of oxides of nitrogen (NO_x) from the gas turbine and duct burner while firing natural gas shall not exceed the values from the attached performance curves (Figure # 4) under full load for the corresponding combustion air inlet temperature. The NO_x limit of 23.8 lb/hr corresponds to an inlet air temperature of 46 degrees F. This limit was established avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) The emissions shall be monitored by a continuous monitoring system (CEMS) meeting Performance Specification 2 in 40 CFR 60 Appendix B.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) Report the Quality Assurance test results required by 40 CFR 60 Appendix F, and the excess emissions reports required by 40 CFR 60.7.



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Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 23.8 pounds per hour
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 63: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 63.1:

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:

40CFR 52-A.21

Item 63.2:

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

Item 63.3:

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 63.4:

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 63.5:

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 63.6:

The Compliance Certification activity will be performed for:



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Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 63.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
ON NATURAL GAS:

- 1.) Combined emissions of carbon monoxide (CO) from the gas turbine and duct burner while firing natural gas shall not exceed the values from the attached performance curves (Figure # 4) under full load for the corresponding combustion air inlet temperature. The CO limit of 35.0 lb/hr corresponds to an inlet air temperature of 46 degrees F. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) The emissions shall be monitored by a continuous monitoring system (CEMS) meeting Performance Specification 4A in 40 CFR 60 Appendix B.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) Report the Quality Assurance test results required by 40 CFR 60 Appendix F, and the excess emissions reports required by 40 CFR 60.7.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 35.0 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 64: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 64.1:

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:

40CFR 52-A.21

Item 64.2:

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

Item 64.3:

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 64.4:

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 64.5:

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 64.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

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Item 64.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING ON NATURAL GAS:

- 1.) Emissions of carbon monoxide (CO) from the gas turbine while firing natural gas with the duct burner firing natural gas shall not exceed an hourly average of 21.7 ppmvd (dry, corrected to 15% oxygen). This limit was established avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) A continuous emission monitoring system must be used to monitor CO emissions according to Part 60, Appendix B, Performance Specification 4A.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 21.7 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 65: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 65.1:



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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:

40CFR 52-A.21

Item 65.2:

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

Item 65.3:

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 65.4:

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 65.5:

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 65.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 65.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
NATURAL GAS:

- 1.) Particulate emissions from the gas turbine and duct



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burner together while firing natural gas shall not exceed 3.42 lb/hr. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.

2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.

3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 3.42 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix A, Method 5 or 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 66: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 66.1:

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:

40CFR 52-A.21

Item 66.2:

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

Item 66.3:

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 66.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an



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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 66.5:

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 66.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 66.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
NATURAL GAS

- 1.) Volatile organic compounds (VOC) emissions from the gas turbine and duct burner together while firing natural gas shall not exceed 0.002 lb/mmBtu. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.
- 2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.
- 3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: VOC

Upper Permit Limit: 0.002 pounds per million Btus

Reference Test Method: 40 CFR Part 60, Appendix A, Method 25

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION



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Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 67: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 67.1:

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:

40CFR 52-A.21

Item 67.2:

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

Item 67.3:

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 67.4:

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 67.5:

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 67.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 67.7:

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Permit ID: 9-0412-00042/00011

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Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
NATURAL GAS

1.) PM-10 emissions from the gas turbine and duct burner together while firing natural gas shall not exceed 3.42 lb/hr. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.

2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.

3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: PM-10

Upper Permit Limit: 3.42 pounds per hour

Reference Test Method: 40 CFR Part 51, Appendix M, Methods 201/202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 68: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 68.1:

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:

40CFR 52-A.21

Item 68.2:

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



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Item 68.3:

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 68.4:

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 68.5:

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 68.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 68.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
NATURAL GAS:

1.) PM-10 emissions from the gas turbine and duct burner together while firing natural gas shall not exceed 0.0086 lb/mmBtu. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.

2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.



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3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: PM-10

Upper Permit Limit: 0.0086 pounds per million Btus

Reference Test Method: 40 CFR Part 51, Appendix M, Method 201/202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 69: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 69.1:

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:

40CFR 52-A.21

Item 69.2:

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

Item 69.3:

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 69.4:

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 69.5:

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 69.6:



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The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 69.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
NATURAL GAS

- 1.) Volatile organic compound (VOC) emissions from the gas turbine and duct burner together while firing natural gas shall not exceed 1.0 lb/hr. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.
- 2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.
- 3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: VOC

Upper Permit Limit: 1.0 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix A, Method 25

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 70: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 70.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of



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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:

40CFR 52-A.21

Item 70.2:

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

Item 70.3:

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 70.4:

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 70.5:

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 70.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 500

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

Item 70.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
PEAK LOAD OPERATION for the TURBINE AND DUCT BURNER
FIRING NATURAL GAS:

1.) Under PEAK LOAD the combined emissions of nitrogen oxide (NOx) from the gas turbine and duct burner while

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firing natural gas shall not exceed the values from the attached performance curves (Figure # 6) for the corresponding combustion air inlet temperature. The NO_x limit of 25.02 lb/hr corresponds to an inlet air temperature of 46 degrees F.

2.) The gas turbine typically operates at peak load for a portion of an hour and operates the balance of the hour at base load. Therefore, the hourly average stack emissions shall not exceed the emission limit as calculated in item 3 below when the gas turbine operates at peak load for any portion of a clock hour.

$$3.) E = (E1 + E2 + E3 + E4)/4$$

Where,

E is the emission limit in pounds per hour

E1 is the calculated emission limit for the 1st quarter of the hour*

E2 is the calculated emission limit for the 2nd quarter of the hour

E3 is the calculated emission limit for the 3rd quarter of the hour

E4 is the calculated emission limit for the 4th quarter of the hour

* The computer that operates the gas turbine calculates an equivalent hourly emission limit for each minute of operation based on ambient air temperature and load, among other factors. The temperature and load curves are attached. The equivalent hourly emission limit for each minute is used to calculate the equivalent hourly emission limit for each quarter in the hour.

4.) The emissions shall be monitored by a continuous monitoring system (CEMS) meeting Performance Specification 4A in 40 CFR 60 Appendix B.

5.) The actual emissions and the calculated limit must be recorded each hour.

6.) Record keeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.

7.) Any excess emissions should be reported following the requirements of 60.7(c) and submitted quarterly. (The 25.02 lb/hr limit below is a place holder for this condition. The enforceable limit varies according to item



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3 above.)

Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 25.02 pounds per hour
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 71: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 71.1:

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:

40CFR 52-A.21

Item 71.2:

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

Item 71.3:

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 71.4:

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 71.5:

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.



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Item 71.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 600

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

Item 71.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
#2 FUEL OIL

- 1.) Volatile organic compounds (VOC) emissions from the gas turbine and duct burner while firing fuel oil shall not exceed 0.005 lb/mmBtu. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.
- 2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.
- 3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: VOC

Upper Permit Limit: 0.005 pounds per million Btus

Reference Test Method: 40 CFR Part 60, Appendix A, Method 25

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 72: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 72.1:



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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:

40CFR 52-A.21

Item 72.2:

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

Item 72.3:

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 72.4:

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 72.5:

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 72.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 600

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

Item 72.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
#2 FUEL OIL

1.) Volatile organic compound (VOC) emissions from the

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gas turbine and duct burner together while firing fuel oil shall not exceed 2.5 lb/hr. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.

2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.

3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: VOC

Upper Permit Limit: 2.5 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix A, Method 25

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 73: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 73.1:

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:

40CFR 52-A.21

Item 73.2:

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

Item 73.3:

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 73.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an



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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 73.5:

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 73.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 600

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

Item 73.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
#2 FUEL OIL

- 1.) Particulate emissions from the gas turbine and duct burner together while firing fuel oil shall not exceed 36.5 lb/hr. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.
- 2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.
- 3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 36.5 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix A, Method 5 or 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION



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Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 74: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 74.1:

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:

40CFR 52-A.21

Item 74.2:

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

Item 74.3:

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 74.4:

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 74.5:

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 74.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 600

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

Item 74.7:

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Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

STACK TESTING OF THE TURBINE AND DUCT BURNER WHILE FIRING
#2 FUEL OIL

- 1.) Particulate emissions from the gas turbine and duct burner together while firing fuel oil shall not exceed 0.087 lb/mmBtu. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel.
- 2.) The facility shall conduct periodic monitoring by conducting a stack emission test upon written request of the Department.
- 3.) The facility shall submit a stack testing protocol for Department approval 30 days before testing and submit a test report within 60 days of testing.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.087 pounds per million Btus

Reference Test Method: 40 CFR Part 60, Appendix A, Method 5 or 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 75: Capping Monitoring Condition

Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 75.1:

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:

40CFR 52-A.21

Item 75.2:

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



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Item 75.3:

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 75.4:

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 75.5:

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 75.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 600

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

Item 75.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
DISTILLATE OIL:

1.) Emissions of oxides of nitrogen (NO_x) from the gas turbine while firing fuel oil, with the duct burner firing natural gas or fuel oil, shall not exceed an hourly average of 18 ppmvd (dry, corrected to 15% oxygen). This limit was established avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.

2.) A continuous emission monitoring system must be used to monitor NO_x emissions according to Part 60, Appendix B,



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Performance Specification 2.

3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.

4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 18 parts per million by volume (dry, corrected to 15% O₂)
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 76: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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:

40CFR 52-A.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



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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: O-00001 Emission Point: 00001
Process: 600

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

Item 76.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
DISTILLATE OIL:

- 1.) Emissions of carbon monoxide (CO) from the gas turbine while firing fuel oil and with the duct burner firing fuel oil or natural gas shall not exceed an hourly average of 24 ppmvd (dry, corrected to 15% oxygen). This limit was established avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) A continuous emission monitoring system must be used to monitor CO emissions according to Part 60, Appendix B, Performance Specification 4A.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) The owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with 40CFR 60.7(c).

Manufacturer Name/Model Number: CISCO



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Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 24 parts per million by volume (dry,
corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix A, Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 77: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 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 otherwise be subject to:

40CFR 52-A.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:



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Emission Unit: O-00001 Emission Point: 00001
Process: 600

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: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
DISTILLATE OIL:

- 1.) Combined emissions of oxides of nitrogen (NO_x) from the gas turbine and duct burner after control by selective catalytic reduction (SCR) while firing distillate fuel oil shall not exceed the values from the attached performance curves (Figure # 3) under full load for the corresponding combustion air inlet temperature. The NO_x limit of 47.8 lb/hr corresponds to an inlet air temperature of 46 degrees F. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.
- 2.) The emissions shall be monitored by a continuous monitoring system (CEMS) meeting Performance Specification 2 in 40 CFR 60 Appendix B.
- 3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.
- 4.) This limit was established for the facility to avoid Prevention of Significant Deterioration (PSD) new source review.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 47.8 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix B, PS 2

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 78: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 78.1:

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:

40CFR 52-A.21

Item 78.2:

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

Item 78.3:

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 78.4:

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 78.5:

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 78.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 600

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

Item 78.7:

Compliance Certification shall include the following monitoring:

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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042



Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NORMAL OPERATION FOR THE TURBINE AND DUCT BURNER FIRING
DISTILLATE OIL:

1.) Combined emissions of carbon monoxide (CO) from the gas turbine and duct burner while firing distillate oil shall not exceed the values from the attached performance curves (Figure # 3) under full load for the corresponding combustion air inlet temperature. The CO limit of 38.6 lb/hr corresponds to an inlet air temperature of 46 degrees F. This limit was established to avoid applicability of Prevention of Significant Deterioration (PSD) BACT requirements and is based on the higher heating value of the fuel. This permit contains an alternative mass emission limit that applies during periods of startup and shutdown.

2.) The emissions shall be monitored by a continuous monitoring system (CEMS) meeting Performance Specification 4A in 40 CFR 60 Appendix B.

3.) Recordkeeping, reporting and monitoring shall be conducted according to 60.7 and 60.13.

4.) Report the Quality Assurance test results required by 40 CFR 60 Appendix F, and the excess emissions reports required by 40 CFR 60.7.

Manufacturer Name/Model Number: CISCO

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 38.6 pounds per hour

Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 79: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7



New York State Department of Environmental Conservation

Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Item 79.1:

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:

40CFR 52-A.21

Item 79.2:

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

Item 79.3:

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 79.4:

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 79.5:

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 79.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 700

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

Item 79.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CO-FIRING NATURAL GAS AND OIL

1.) When co-firing natural gas and fuel oil in the CGT

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the source may not exceed the emission limit as calculated below in item 2. This limit is based on heat input corresponding to the higher heating value of the fuel burned.

$$2.) E = ((Eng \times Hng) + (Eo \times Ho)) / (Hng + Ho)$$

where

E is the carbon monoxide (CO) limit in pounds per hour

Eng is the natural gas CO limit from the PSD avoidance conditions, 35.0 lb/hr*

Eo is the fuel oil CO limit from the PSD avoidance conditions, 38.5 lb/hr*

Hng is the heat input from natural gas during the hour, calculated as the sum of the total volume of gas for the hour (based on totals for each 15-minute period of the hour) multiplied by the Higher Heating Value (HHV, Btu content) of the gas, where the HHV is obtained from the monthly gas sample as required by 40 CFR Part 75, Appendix D, section 2.3

Ho is the heat input from the fuel oil during the hour, calculated as the sum of the total volume of oil for the hour (based on totals for each 15-minute period of the hour) multiplied by the HHV and oil density. The HHV and oil density are the highest values from the previous calendar year unless higher ones are obtained as required by 40 CFR Part 75, Appendix D, section 2.2

* The mass emission rates (lb/hr) correspond to an ambient temperature of 46 F. Use figure 3, attached, to correlate these limits to current ambient temperatures.

3.) The actual emissions and the calculated limit must be recorded each hour.

4.) Any exceed emissions above the limit should be reported following the requirements of 60.7(c) and submitted quarterly. (The 38.6 lb/hr limit below is a place holder for this condition. The enforceable limit varies according to item 2 above.)

Manufacturer Name/Model Number: CISCO
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 38.6 pounds per hour
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 80: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 80.1:

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:

40CFR 52-A.21

Item 80.2:

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

Item 80.3:

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 80.4:

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 80.5:

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 80.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 700

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

New York State Department of Environmental Conservation

Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042



Item 80.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CO-FIRING NATURAL GAS AND OIL

1.) When co-firing natural gas and fuel oil in the CGT the source may not exceed the emission limit as calculated below.

$$2.) E = ((Eng \times Hng) + (Eo \times Ho)) / (Hng + Ho)$$

where

E is the nitrogen oxide (NOx) limit in parts per million

Eng is the natural gas NOx limit from the PSD avoidance conditions, 9 ppm

Eo is the fuel oil NOx limit from the PSD avoidance conditions, 18 ppm

Hng is the heat input from natural gas during the hour, calculated as the sum of the total volume of gas for the hour (based on totals for each 15-minute period of the hour) multiplied by the Higher Heating Value (HHV, Btu content) of the gas, where the HHV is obtained from the monthly gas sample as required by 40 CFR Part 75, Appendix D, section 2.3

Ho is the heat input from the fuel oil during the hour, calculated as the sum of the total volume of oil for the hour (based on totals for each 15-minute period of the hour) multiplied by the HHV and oil density. The HHV and oil density are the highest values from the previous calendar year unless higher ones are obtained as required by 40 CFR Part 75, Appendix D, section 2.2

3.) The actual emissions and the calculated limit must be recorded each hour.

4.) Any exceed emissions above the limit should be reported following the requirements of 60.7(c) and submitted quarterly. (The 18 ppm limit below is a placeholder for this condition. The enforceable limit varies according to item 2 above.)

Manufacturer Name/Model Number: CISCO

Parameter Monitored: OXIDES OF NITROGEN



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Permit ID: 9-0412-00042/00011

Facility DEC ID: 9041200042

Upper Permit Limit: 18 parts per million by volume (dry,
corrected to 15% O₂)
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 81: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 81.1:

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:

40CFR 52-A.21

Item 81.2:

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

Item 81.3:

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 81.4:

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 81.5:

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 81.6:

The Compliance Certification activity will be performed for:



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Emission Unit: O-00001 Emission Point: 00001
Process: 700

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

Item 81.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CO-FIRING NATURAL GAS AND OIL

1.) When co-firing natural gas and fuel oil in the CGT the source may not exceed the emission limit as calculated below.

$$2.) E = ((Eng \times Hng) + (Eo \times Ho)) / (Hng + Ho)$$

where

E is the carbon monoxide (CO) limit in parts per million

Eng is the natural gas CO limit from the PSD avoidance conditions, 21.7 ppmvd

Eo is the fuel oil CO limit from the PSD avoidance conditions, 24 ppmvd

Hng is the heat input from natural gas during the hour, calculated as the sum of the total volume of gas for the hour (based on totals for each 15-minute period of the hour) multiplied by the Higher Heating Value (HHV, Btu content) of the gas, where the HHV is obtained from the monthly gas sample as required by 40 CFR Part 75, Appendix D, section 2.3

Ho is the heat input from the fuel oil during the hour, calculated as the sum of the total volume of oil for the hour (based on totals for each 15-minute period of the hour) multiplied by the HHV and oil density. The HHV and oil density are the highest values from the previous calendar year unless higher ones are obtained as required by 40 CFR Part 75, Appendix D, section 2.2

3.) The actual emissions and the calculated limit must be recorded each hour.

4.) Any excess emissions above the limit should be reported following the requirements of 60.7(c) and submitted quarterly. (The 24 ppmvd limit below is a place



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holder for this condition. The enforceable limit varies according to item 2 above.)

Manufacturer Name/Model Number: CISCO
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 24 parts per million by volume (dry, corrected to 15% O₂)
Reference Test Method: 40 CFR Part 60, Appendix B, PS 4A
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 82: Capping Monitoring Condition
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 82.1:

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:

40CFR 52-A.21

Item 82.2:

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

Item 82.3:

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 82.4:

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 82.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for



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which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 82.6:

The Compliance Certification activity will be performed for:

Emission Unit: O-00001 Emission Point: 00001
Process: 700

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

Item 82.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CO-FIRING NATURAL GAS AND OIL

1.) When co-firing natural gas and fuel oil in the CGT the source may not exceed the emission limit as calculated in item 2 below. This limit is based on heat input corresponding to the higher heating value of the fuel burned.

2.) $E = ((Eng \times Hng) + (Eo \times Ho)) / (Hng + Ho)$
where

E is the nitrogen oxide (NO_x) limit in pounds per hour

Eng is the natural gas NO_x limit from the PSD avoidance conditions, 23.8 lb/hr*

Eo is the fuel oil NO_x limit from the PSD avoidance conditions, 47.8 lb/hr*

Hng is the heat input from natural gas during the hour, calculated as the sum of the total volume of gas for the hour (based on totals for each 15-minute period of the hour) multiplied by the Higher Heating Value (HHV, Btu content) of the gas, where the HHV is obtained from the monthly gas sample as required by 40 CFR Part 75, Appendix D, section 2.3

Ho is the heat input from the fuel oil during the hour, calculated as the sum of the total volume of oil for the hour (based on totals for each 15-minute period of the hour) multiplied by the HHV and oil density. The HHV and oil density are the highest values from the previous calendar year unless higher ones are obtained as required by 40 CFR Part 75, Appendix D, section 2.2

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* The mass emission rates (lb/hr) correspond to an ambient temperature of 46 F. Use figure 3, attached, to correlate these limits to current ambient temperatures.

3.) The actual emissions and the calculated limit must be recorded each hour.

4.) Any exceed emissions above the limit should be reported following the requirements of 60.7(c) and submitted quarterly. (The 47.8 lb/hr limit below is a place holder for this condition. The enforceable limit varies according to item 2 above.)

Manufacturer Name/Model Number: CISCO
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 47.8 pounds per hour
Reference Test Method: 40 CFR Part 60, Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 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 83: Contaminant List
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: ECL 19-0301

Item 83.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this



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permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY998-00-0

Name: VOC

Condition 84: Unavoidable noncompliance and violations
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 201-1.4

Item 84.1:

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



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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 superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

Condition 85: Air pollution prohibited
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 211.2

Item 85.1:

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 86: Compliance Demonstration
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 237-1.6(c)

Item 86.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 86.2:

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Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under NYCRR 237-6.5, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of applicable State law.

A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

A NOx allowance allocated by the department under the Acid Deposition Reduction (ADR) NOx Budget Trading Program is a limited authorization to emit one ton of NOx in accordance with the ADR NOx Budget Trading Program. No provision of the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NOx allowance allocated by the department under the ADR NOx Budget Trading Program does not constitute a property right.

The owners and operators of a NOx budget unit that has



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excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 87: Recordkeeping and Reporting Requirements
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 237-1.6(e)

Item 87.1:

Unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department:

- 1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

Condition 88: Authorization and responsibilities of the NOx authorized account representative
Effective between the dates of 09/12/2007 and 09/11/2012

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Permit ID: 9-0412-00042/00011

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Applicable State Requirement: 6NYCRR 237-2

Item 88.1:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

Each submission under the ADR NOx Budget Trading Program shall be submitted, signed, and certified by the NOx authorized account representative for each NOx budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NOx authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx 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."

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 89: Compliance Demonstration
Effective between the dates of 09/12/2007 and 09/11/2012

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Applicable State Requirement: 6NYCRR 237-4.1

Item 89.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 89.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NO_x budget units at a source are subject to the NO_x budget emissions limitation, the NO_x authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NO_x authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NO_x budget emissions limitation for the control period covered by the report:

- (1) identification of each NO_x budget unit;
- (2) except in instances when the NO_x budget unit seeks to use future control period NO_x allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NO_x authorized account representative's option, the serial numbers of the NO_x allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NO_x authorized account representative's option, for units sharing a common stack and having NO_x emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO_x allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and



(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO_x authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO_x budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO_x Budget Trading Program, whether each NO_x budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO_x Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO_x budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO_x emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO_x emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEPTEMBER 30

Condition 90: Submission of NOx allowance transfers
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 237-7.1

Item 90.1:

The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each NOx allowance to be transferred; and
- (c) the printed name and signature of the NOx authorized account representative of the transferor account and the date signed.

Condition 91: Compliance Demonstration
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 237-8

Item 91.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 91.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as



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defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 92: Compliance Demonstration
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 238-1.6(c)

Item 92.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 92.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of each SO₂ budget source and each SO₂ budget unit at the source shall hold SO₂ allowances available for compliance deductions under NYCRR 238-6.5, as of the SO₂ allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO₂ budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO₂ budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit

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commences operation.

SO2 allowances shall be held in, deducted from, or transferred among SO2 Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO2 allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO2 allowance was allocated.

An SO2 allowance allocated by the department under the ADR SO2 budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO2 Budget Trading Program. No provision of the ADR SO2 Budget Trading Program, the SO2 budget permit application, or the SO2 budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO2 allowance allocated by the department under the ADR SO2 Budget Trading Program does not constitute a property right.

The owners and operators of an SO2 budget unit that has excess emissions in any control period shall: Forfeit the SO2 allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: CONTINUOUS
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 2/29/2008.
Subsequent reports are due every 12 calendar month(s).

Condition 93: Record keeping and Reporting Requirements
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 238-1.6(e)

Item 93.1:



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Unless otherwise provided, the owners and operators of the SO₂ budget source and each SO₂ budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO₂ authorized account representative for the source and each SO₂ budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO₂ authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO₂ Budget Trading Program;

Copies of all documents used to complete an SO₂ budget permit application and any other submission under the ADR SO₂ Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO₂ Budget Trading Program;

The SO₂ authorized account representative of an SO₂ budget source and each SO₂ budget unit at the source shall submit the reports and compliance certifications required under the ADR SO₂ Budget Trading Program, including those under NYCRR 238-4, or 238-8.

**Condition 94: Submissions to the Department
Effective between the dates of 09/12/2007 and 09/11/2012**

Applicable State Requirement: 6NYCRR 238-2.1

Item 94.1:

Each submission under the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program shall be submitted, signed, and certified by the SO₂ authorized account representative for each SO₂ budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO₂ authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO₂ budget sources or SO₂ 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."



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Condition 95: Compliance Demonstration
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 238-4.1

Item 95.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 95.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO₂ budget units at a source are subject to the SO₂ budget emissions limitation, the SO₂ authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO₂ authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO₂ budget emissions limitation for the control period covered by the report:

- (1) identification of each SO₂ budget unit;
- (2) except in instances when the SO₂ budget unit seeks to use future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO₂ authorized account representative's option, the serial numbers of the SO₂ allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO₂ authorized account representative's option, for units sharing a common stack and having SO₂ emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO₂ allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the

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statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO₂ authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO₂ budget units at the source in compliance with the ADR SO₂ Budget Trading Program, whether each SO₂ budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO₂ Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO₂ budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO₂ emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO₂ emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's



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compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: MARCH 1

Condition 96: Submission of SO2 allowance transfers
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 238-7.1

Item 96.1:

The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO2 allowance to be transferred; and
- (c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 97: Compliance Demonstration
Effective between the dates of 09/12/2007 and 09/11/2012

Applicable State Requirement: 6NYCRR 238-8

Item 97.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 97.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the SO2 authorized account representative of an SO2 budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of

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40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO2 budget unit," and "SO2 authorized account representative," respectively, as defined in NYCRR 238-1.2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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