

New York State Department of Environmental Conservation
Facility DEC ID: 9060800053



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-0608-00053/00019
Effective Date: 04/13/2007 Expiration Date: 04/12/2012

Permit Issued To: JAMESTOWN BOARD OF PUBLIC UTILITIES
92 STEELE ST
PO BOX 700
JAMESTOWN, NY 14702-0700

Contact: WALTER W HAASE
JAMESTOWN BOARD OF PUBLIC UTILITIES
92 STEELE ST PO BOX 700
JAMESTOWN, NY 14702-0700
(716) 661-1670

Facility: SAMUEL A CARLSON GENERATING STATION
136 STEELE ST
JAMESTOWN, NY 14701-6438

Contact: STEVEN B KULIG
JAMESTOWN BOARD OF PUBLIC UTILITIES
136 STEELE ST - PO BOX 700
JAMESTOWN, NY 14702-0700
(716) 661-1697

Description:

The Samuel A. Carlson Generating Station is owned and operated by the Jamestown Board of Public Utilities (JBPU), so it is a municipal electric power generating plant with applicable SIC code 4911 - Electrical Services. The facility is located at 136 Steele Street, in the City of Jamestown, Chautauqua County. The facility operates four coal-fired boilers, along with auxiliary coal and ash handling equipment, a large natural gas turbine with duct burner and a heat recovery steam generator (HRSG), a small natural gas boiler, an emergency combustion gas turbine generator set, and an emergency diesel engine generator set. The large gas turbine can operate in simple or combined cycle mode. The coal boilers and HRSG provide steam through a common header which can feed either one or both of the steam turbine generators. The steam turbine generators are rated at 24.5 megawatts (MW) each.

This permit package includes both the Title V air operating permit renewal 1, modification 0, and a separate concurrent Acid Rain (Title IV) Permit renewal 3.

Title V Permit

The four coal boilers are divided into two emission units. Emission unit U-00003 contains boilers #9 and



New York State Department of Environmental Conservation
Facility DEC ID: 9060800053

#12 (rated at 190 and 297 mmBtu/hr, respectively), which emit to a single stack, emission point 00003 (North Stack). Emission unit U-00004 contains boilers #10 and #11 (each rated at 190 mmBtu/hr), which emit to a single stack, emission point 00004 (South Stack). Each boiler has an associated cold-side electrostatic precipitator to control particulate emissions. The four emission points for the ash and coal handling systems are part of four emission units, U-00005, U-00006, U-00007 and U-00008. Each of these emission units is associated with one emission point.

Emission unit U-00020 consists of a GE LM6000 combustion gas turbine that is natural gas-fired (no fuel oil back-up) and has a nominal capacity of 43 MW at a heat input rate of 430 mmBtu/hr. The HRSG has natural gas supplemental duct burners rated at approximately 144 mmBtu/hr. During simple cycle operation, in which heat from the gas turbine exhaust is not recovered, the gas turbine exhausts directly to emission point 00020. During combined cycle operation, waste heat from the gas turbine exhaust and the duct burners is recovered in the HRSG, the HRSG exhausts to emission point 00021. Steam generated in the HRSG is sent to the existing steam turbines to generate additional electricity. A low pressure SPRINT (SPRay INtercooling) system and an Enhanced Flow System (EFS) were installed on the LM6000 gas turbine in 2005. This project did not trigger Non-Attainment New Source Review for either NOx or VOC and it did not trigger Prevention of Significant Deterioration review for any applicable pollutant.

Emission unit U-00022 is a 23.3 mmBtu/hr natural gas-fired boiler used to supply hot water to supplement district heating demand when low pressure steam obtained from the existing boilers is not sufficient to meet the demand.

The Air State Facility Permit for the installation of a 50kW emergency combustion gas turbine manufactured by Solar (Permit ID 9-0608-00053/00029) has been incorporated into this permit. The emergency turbine supplies electricity to the LM6000 combustion gas turbine in emergency situations when electricity is not available from the grid. The emergency turbine only fires distillate oil and is subject to the sulfur in fuel standards of the New Source Performance Standards (NSPS) for Gas Turbines, 40 CFR 60 Subpart GG. As an emergency generator, this turbine is not subject to the nitrogen oxide requirements of Subpart GG and will operate less than 500 hours per year. An hour meter will track the hours of operation. The 12-month total will be summarized monthly and compared to the 500 hour limit.

The facility also operates a 830 brake-horsepower (bhp) Detroit Diesel Generator on an emergency basis. This is exempt from permitting per 6 NYCRR 201-3(c)(6)(I) because its operation is limited to not more than 500 hours per year.

This permit contains conditions to generate 125.0 tons of NOx emission reduction credits (ERC's) from the future permanent shutdown of emission unit U-00004 (boilers #10 and #11) prior to the completion of the shakedown period of the proposed circulating fluidized bed (CFB) boiler project. Once boilers #10 and #11 have been permanently shutdown, the JBPU may request approval to re-duct boiler #9 or boiler #12 exhaust gases from the emission point 00003 (North Stack) to emission point 00004 (South Stack).

The diameter of the South Stack for emission unit U-00004 (boilers #10 and #11) was reduced from 120 inches to 84 inches by the addition of a cone that replaced the top five feet of the stack during the spring of 2005. This change, which was included in the emergency start Solar Turbine permit application, was



New York State Department of Environmental Conservation
Facility DEC ID: 9060800053

made to stabilize the gas flow for stack testing purposes and was incorporated into this permit.

CHANGES:

The current permit action is the issuance of a Title V operating permit for an existing facility that holds a Title V Permit. The layout of this permit is different than the current permit because permit conditions that apply to more than one emission unit, emission point or emission source/control device have been included at the facility level of the permit and lists what emission unit, emission point or emission source/control device are subject to the condition. This is an attempt to reduce redundancy. Below is a brief summary of the difference between the previous Title V Permit and this Title V Permit.

Replacements:

The NOx Budget rule, 6 NYCRR Part 227-3 has expired and was replaced with the new NOx Budget rule, 6 NYCRR Part 204, so Part 227-3 conditions have been replaced with Part 204 conditions which apply during the ozone season, May 1 to September 30.

Added:

Permit conditions were added for the Acid Deposition Reduction NOx Budget Trading Program requirements of 6 NYCRR Part 237 during the non-ozone season, October 1 to April 30, and the Acid Deposition Reduction SO2 Budget Trading Program requirements of 6 NYCRR Part 238, a calendar year program. Conditions were added for the Compliance Assurance Monitoring rule, 40 CFR Part 64, for the particulate emissions from the coal boilers and the material handling systems. As mentioned above, a condition was added that limits the NOx emissions from the existing emission unit U-00004, coal boilers #10 and #11, to generate emission reduction credits that are earmarked to offset the NOx emissions from the proposed circulating fluidized bed (CFB) boiler project on site so the CFB project avoids the requirements of 40 CFR Part 52.21, "Prevention of Significant Deterioration of Air Quality" (PSD), and the requirements of the 6 NYCRR Part 231-2, "New Source Review in Non-Attainment Areas and Ozone Transport Regions," for NOx.

Removed:

Permit conditions from 40 CFR Part 60 Subpart GG, NSPS for combustion Gas Turbines that required that the natural gas be monitored for sulfur content were removed as requested by the permittee and allowed by Subpart GG.

APPLICABLE REQUIREMENTS:

The facility's coal-fired boilers are subject to the particulate control requirements and opacity requirements of 6 NYCRR Part 227-1, and the NOx RACT requirement of 6 NYCRR Part 227-2. The coal and oil burned in these boilers are also subject to the sulfur in fuel limits of 6 NYCRR Part 225-1. The facility itself is also subject to the acid rain control and monitoring requirements of 40 CFR 72-78 and the NOx Budget requirements of 6 NYCRR Part 204 for the ozone season. The ash and coal handling systems are subject to the particulate control and opacity limitations of 6 NYCRR Part 212. The facility has been issued an Acid Rain permit covering the coal-fired boilers and the combustion gas turbine.

Permit conditions addressing the Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64 as they apply to the coal boilers and the material handling system are new. The coal boilers used cold-side electrostatic precipitators (ESP's) to control particulate emissions. Opacity and secondary ESP voltage are used to monitor the performance of the ESP's. The CAM thresholds were derived by



New York State Department of Environmental Conservation
Facility DEC ID: 9060800053

performing a statistical analysis on the historical opacity and secondary voltage data. The opacity data provided a natural log normal distribution so a ninety five percent confidence level was used to calculate the opacity thresholds. The historical ESP secondary voltage data did not have a normal distribution so the first percentile value is used for the voltage threshold. The permittee is also required to conduct a particulate matter compliance test annually. Particulate testing at both coal boiler stacks in October 2003 showed that they were in compliance with the particulate limits. The material handling system uses baghouses to control particulate emissions. A properly operating baghouse is expected to have no visible emissions so the CAM threshold for the material handling system is set at 5 percent opacity.

The LM6000 combustion gas turbine (CGT) unit is subject to federal 40 CFR 60 New Source Performance Standards (NSPS) for gas turbines, Subpart GG, and the NSPS for Industrial-Commercial-Institutional boilers, Subpart Db, as it applies to the duct burners. This emission unit is also subject to state 6 NYCRR Part 227-1 for opacity and particulate requirements, and 6 NYCRR Part 227-2 for NOx RACT requirements. When the CGT project was permitted, a combination of federally enforceable limits on the CGT project emissions and emission reductions from the existing EU U-00004, boilers #10 and #11, were employed such that the net emissions increases associated with the CGT project were below the significant source project applicability thresholds of these two regulations. Therefore, the gas turbine project is not subject to the control, emissions offset, or modeling requirements of 6 NYCRR 231-2 (non-attainment) or 40 CFR 52.21 (PSD review). Non-applicability strategies are described for each contaminant of concern as follows:

Oxides of Nitrogen (NOx): NOx emissions from emission unit U-00020 are limited to 160.0 ton/yr and from U-00022 to 5.0 ton/yr, on a 52-week rolling total basis. These caps combined with the use of 125.5 ton/yr of NOx emission reduction credits generated by curtailment of the existing boilers in emission unit U-00004 result in a net emission increase of NOx for this project that is less than the 40 ton/yr significant net emission increase threshold found in both 6 NYCRR 231-2 and 40 CFR 52.21. This permit will further reduce the NOx cap at EU U-00004 to zero ton/yr when the proposed fluidized bed (CFB) boiler becomes operational. This will create emission reduction credits to offset emissions from the CFB project so the CFB project can avoid the requirements of New Source Review and PSD.

Carbon Monoxide (CO): CO emissions are limited to 8.7 ton/yr from the small boiler, emission unit U-00022, and CO emissions from the gas turbine, emission unit U-00020, are limited to 90.0 ton/yr, on a 52-week rolling total basis. These caps result in a net emission increase of PM-10 from the gas turbine project that is less than the 15 ton/yr significant net emission increase threshold for PM-10 found in 40 CFR 52.21.

The small natural gas boiler installed as part of the CGT is subject to the NSPS requirements for Small Industrial-Commercial-Institutional boilers, Subpart Dc.

The Permit Review Report (PRR) contains information on the contents of this permit and is an attached document.

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.

New York State Department of Environmental Conservation
Facility DEC ID: 9060800053



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:



New York State Department of Environmental Conservation
Facility DEC ID: 9060800053

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;

New York State Department of Environmental Conservation
Facility DEC ID: 9060800053



- 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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: JAMESTOWN BOARD OF PUBLIC UTILITIES
92 STEELE ST
PO BOX 700
JAMESTOWN, NY 14702-0700

Facility: SAMUEL A CARLSON GENERATING STATION
136 STEELE ST
JAMESTOWN, NY 14701-6438

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

Permit Effective Date: 04/13/2007

Permit Expiration Date: 04/12/2012



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
- 22 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 13 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 14 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 15 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 16 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 17 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 18 6NYCRR 202-1.1: Required Emissions Tests
- 19 6NYCRR 211.3: Visible Emissions Limited
- 20 40CFR 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-3.2(b): Exempt Activities - Maintenance of Control Equipment
- 24 6NYCRR 201-3.3(b): Trivial Activities - Maintenance of Control Equipment
- 25 6NYCRR 201-6: Emission Unit Definition
- 26 6NYCRR 202-1.2: Notification
- 27 6NYCRR 202-1.3: Acceptable procedures
- 28 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 29 6NYCRR 202-1.3: Alternate test methods
- 30 6NYCRR 202-1.4: Separate emission test by the commissioner
- 31 6NYCRR 202-1.5: Prohibitions
- 32 6NYCRR 204-1.6: Compliance Certification
- 33 6NYCRR 204-2.1: Submissions to the Department.
- 34 6NYCRR 204-4.1: Compliance Certification
- 35 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 36 6NYCRR 204-8.1: Referance to 40CFR and list of requirments.
- 37 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 38 6NYCRR 204-8.3: Out of control periods.
- 39 6NYCRR 204-8.4: Compliance Certification



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

- 40 6NYCRR 204-8.5: Compliance Certification
- 41 6NYCRR 204-8.7: Compliance Certification
- 42 6NYCRR 212.6(a): Compliance Certification
- 43 6NYCRR 225-1.2(a)(2): Compliance Certification
- 44 6NYCRR 225-1.2(a)(2): Compliance Certification
- 45 6NYCRR 225-1.2(c): Compliance Certification
- 46 6NYCRR 227-1.2(a)(1): Compliance Certification
- 47 6NYCRR 227-1.3(a): Compliance Certification
- 48 6NYCRR 227-1.3(a): Compliance Certification
- 49 6NYCRR 227-1.3(a): Compliance Certification
- 50 6NYCRR 227-1.3(a): Compliance Plan
- 51 6NYCRR 227-1.4(b): Compliance Certification
- 52 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 53 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 54 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 55 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 56 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and
Maintenance Requirements
- 57 40CFR 60.12, NSPS Subpart A: Circumvention.
- 58 40CFR 60.13(a), NSPS Subpart A: Continuous Monitoring Requirements
- 59 40CFR 60.13(d), NSPS Subpart A: Compliance Certification
- 60 40CFR 60.13(e), NSPS Subpart A: Compliance Certification
- 61 40CFR 60.13(h), NSPS Subpart A: Compliance Certification
- 62 40CFR 64: Compliance Certification
- 63 40CFR 64.8: Elements of a Quality Improvement Plan
- 64 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and
Permitting

Emission Unit Level

- 65 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 66 6NYCRR 201-6: Process Definition By Emission Unit
- 67 6NYCRR 201-7: Emission Unit Permissible Emissions

EU=U-00003,EP=00003

- 68 40CFR 64: Compliance Certification

EU=U-00003,EP=00003,Proc=001

- 69 6NYCRR 227-1.2(a)(4): Compliance Certification

EU=U-00003,EP=00003,Proc=001,ES=00001

- 70 6NYCRR 227-2.4(b)(1): Compliance Certification

EU=U-00003,EP=00003,Proc=001,ES=00004

- 71 6NYCRR 227-2.4(a)(1): Compliance Certification

EU=U-00004

- *72 6NYCRR 201-7: Capping Monitoring Condition



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

*73 6NYCRR 201-7: Capping Monitoring Condition

EU=U-00004,EP=00004

74 40CFR 64: Compliance Certification

EU=U-00004,EP=00004,Proc=002

75 6NYCRR 227-1.2(a)(4): Compliance Certification

EU=U-00004,EP=00004,Proc=002,ES=00007

76 6NYCRR 227-2.4(b)(1): Compliance Certification

EU=U-00004,EP=00004,Proc=002,ES=0000A

77 6NYCRR 227-2.4(b)(1): Compliance Certification

EU=U-00008

78 40CFR 60, NSPS Subpart Y: Compliance Certification

EU=U-00020

*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

83 6NYCRR 231-2.4(a)(1): Documents the Use of ERCs for EU U-00020, the Gas Turbine

84 40CFR 60.332(a)(1), NSPS Subpart GG: Compliance Certification

85 40CFR 60.332(f), NSPS Subpart GG: Compliance Certification

EU=U-00020,Proc=DB1

86 40CFR 60.44b(1)(1), NSPS Subpart Db: Compliance Certification

87 40CFR 60.49b(d), NSPS Subpart Db: Compliance Certification

EU=U-00020,Proc=GT1

88 6NYCRR 227-2.4(e)(2)(i): Compliance Certification

EU=U-00020,Proc=GT2

89 6NYCRR 227-2.4(e)(1)(i): Compliance Certification

EU=U-00022

*90 6NYCRR 201-7: Capping Monitoring Condition

*91 6NYCRR 201-7: Capping Monitoring Condition

*92 6NYCRR 201-7: Capping Monitoring Condition

93 6NYCRR 227-2.4(d): Compliance Certification

94 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification

EU=U-00023

*95 6NYCRR 201-7: Capping Monitoring Condition

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



- 96 6NYCRR 227-2.4(e)(1)(ii): Compliance Certification
- 97 40CFR 60.333(b), NSPS Subpart GG: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 98 ECL 19-0301: Contaminant List
- 99 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 100 6NYCRR 211.2: Air pollution prohibited
- 101 6NYCRR 211.2: Compliance Demonstration
- 102 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 103 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 104 6NYCRR 227-1.4(a): Continuous Opacity Monitor Required
- 105 6NYCRR 237-1.6(c): Compliance Demonstration
- 106 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 107 6NYCRR 237-2: Authorization and responsibilities of the NOx
authorized account representative to be included in existing permits.
- 108 6NYCRR 237-4.1: Compliance Demonstration
- 109 6NYCRR 237-7.1: Submission of NOx allowance transfers
- 110 6NYCRR 237-8: Compliance Demonstration
- 111 6NYCRR 238-1.6(c): Compliance Demonstration
- 112 6NYCRR 238-1.6(e): Record keeping and Reporting Requirements
- 113 6NYCRR 238-2.1: Submissions to the Department
- 114 6NYCRR 238-4.1: Compliance Demonstration
- 115 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 116 6NYCRR 238-8: Monitoring and Reporting requirements

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 04/13/2007 and 04/12/2012

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 04/13/2007 and 04/12/2012

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 04/13/2007 and 04/12/2012

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 04/13/2007 and 04/12/2012

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 04/13/2007 and 04/12/2012

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.

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



(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.

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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:

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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:

USEPA Region 2

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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 04/13/2007 and 04/12/2012

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 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-2.5



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 04/13/2007 and 04/12/2012

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 04/13/2007 and 04/12/2012

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 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-1.7



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 22: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 22.1:

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 12: Exempt Sources - Proof of Eligibility

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 12.1:

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 13: Trivial Sources - Proof of Eligibility

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 13.1:

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 14: Standard Requirement - Provide Information

Effective between the dates of 04/13/2007 and 04/12/2012



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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

Item 14.1:

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 15: General Condition - Right to Inspect
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 15.1:

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 16: Standard Requirements - Progress Reports
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 16.1:

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

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

preventive or corrective measures adopted.

Condition 17: Off Permit Changes
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 17.1:

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 18: Required Emissions Tests
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 18.1:

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 19: Visible Emissions Limited
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 211.3

Item 19.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 20: Accidental release provisions.
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 68

Item 20.1:

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 21: Recycling and Emissions Reduction
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 21.1:

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: Exempt Activities - Maintenance of Control Equipment
Effective between the dates of 04/13/2007 and 04/12/2012



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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

Item 23.1:

Owner of any emission source or unit that is listed as eligible to be exempt in 6 NYCRR Part 201-3.2(c), on the basis of the use of appropriate emission control device shall operate and maintain such device in a manner consistent with good engineering practices.

**Condition 24: Trivial Activities - Maintenance of Control Equipment
Effective between the dates of 04/13/2007 and 04/12/2012**

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

Item 24.1:

The owner and /or operator of any emission source or unit that is listed as eligible to be exempt in 6 NYCRR Part 201-3.3(c), on the basis of the use of appropriate emission control device shall operate and maintain such device in a manner consistent with good engineering practices.

**Condition 25: Emission Unit Definition
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 6NYCRR 201-6

Item 25.1:

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

Emission Unit: U-00003

Emission Unit Description:

This emission unit was created for emission point 3. Two coal fired steam boilers (commonly known as boilers #9 and #12) emit to one common stack (EP 00003), also known as the North Stack. Boiler #9, designated as a large boiler, has a nominal heat input rate of 190 mmBtu/hr. Boiler #12, designated as a very large boiler, has a nominal heat input rate of 297 mmBtu/hr. The boilers primarily fire coal as described in process 001. However, distillate oil is used to bring the boilers up to temperature during startup and other conditions when necessary, as described in process 007. Both boilers were retrofitted with low NOx burners to comply with the emission requirements of NOx RACT.

Emission unit 3 consists of emission point 00003 (the north stack), emission source 00001 (boiler #9), emission source/control 00003 (the electrostatic precipitator that serves boiler #9), emission source 00004 (boiler #12), and emission source/control 00006 (the electrostatic precipitator that serves boiler #12).

Building(s): SA CARLSON

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 25.2:

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

Emission Unit: U-00004

Emission Unit Description:

This emission unit was created for emission point 4. Two coal fired steam boilers (commonly known as boilers #10 and #11) emit to one common stack (EP 00004), also known as the South Stack. Both boilers are designated as large boilers; both have nominal heat input rates of 190 mmBtu/hr. The boilers primarily fire coal as described in process 002. However, distillate oil is used to bring the boilers up to temperature during start up and other conditions when necessary as described in process 008. Both boilers were retrofitted with low NOx burners to comply with the emission requirements of NOx RACT.

Emission unit 4 consists of emission point 00004 (the south stack), emission source/control 00007 (boiler #10), emission source 00009 (the electrostatic precipitator that serves boiler #10), emission source 0000A (boiler #11), and emission source/control 0000C (the electrostatic precipitator that serves boiler #11).

Building(s): SA CARLSON

Item 25.3:

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

Emission Unit: U-00005

Emission Unit Description:

This emission unit was created for emission point 5, which vents air displaced by flyash collected in one of two ash collection silos.

Building(s): SA CARLSON

Item 25.4:

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

Emission Unit: U-00006

Emission Unit Description:

This emission unit was created for emission point 6, which vents air displaced by fly ash and bottom ash collected in one of two ash collection silos.

Building(s): SA CARLSON

Item 25.5:



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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

Emission Unit: U-00007

Emission Unit Description:

This emission unit was created for emission point 7, which exhausts the transport air of the pneumatic ash handling system. This transport system services all the ESP collection hoppers.

Building(s): SA CARLSON

Item 25.6:

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

Emission Unit: U-00008

Emission Unit Description:

This emission unit was created for emission point 8, which ventilates the coal conveying system to keep dust levels down throughout the conveyor system. Air displaced by coal in the coal silo enters the conveyor system and is exhausted through emission point 8.

Building(s): SA CARLSON

Item 25.7:

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

Emission Unit: U-00020

Emission Unit Description:

This emission unit consists of a GE LM6000 gas turbine generator system and a Deltak heat recovery steam generator (HRSG). The turbine is natural gas-fired and has a nominal capacity of 43 MW at a heat input of 410 mmBtu/hr (HHV). The HRSG has natural gas supplemental firing (duct burners) rated at approximately 144 mmBtu/hr. During simple cycle operation, the turbine exhausts directly to EP 00020. During combined cycle operation, the turbine exhausts through the HRSG to EP 00021. A low pressure SPRINT (SPRay INTercooling) system and an Enhanced Flow System (ESF) was installed on the LM6000 gas turbine in 2005. The project did not trigger nonattainment new source review for either NOx or VOC and it did not trigger PSD review for any applicable pollutant.

Building(s): SA CARLSON

Item 25.8:

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

Emission Unit: U-00022

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Emission Unit Description:

This emission unit consists of a 23.3 mmBtu/hr natural gas-fired boiler manufactured by Cleaver Brooks. This boiler supplements the district heating requirements. This boiler emits to EP 00022.

Building(s): SA CARLSON

Item 25.9:

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

Emission Unit: U-00023

Emission Unit Description:

This emission unit consists of a 750 kW emergency backup Solar combustion gas turbine generator set to provide black start capability for the LM6000 combustion gas turbine. This turbine will fire only distillate oil and will operate only when the primary power source at the SA Carlson station has been rendered inoperable by an emergency situation and for weekly testing. Operations will be limited to 500 hours per year. The turbine exhausts to EP 00023.

Building(s): SA CARLSON

Condition 26: Notification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 26.1:

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 27: Acceptable procedures

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-1.3

Item 27.1:

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

Condition 28: Acceptable procedures - Stack test report submittal

Effective between the dates of 04/13/2007 and 04/12/2012



Applicable Federal Requirement: 6NYCRR 202-1.3

Item 28.1:

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

Condition 29: Alternate test methods
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-1.3

Item 29.1:

Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

Condition 30: Separate emission test by the commissioner
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-1.4

Item 30.1:

The commissioner may conduct separate or additional emission tests on the behalf of the State to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

Condition 31: Prohibitions
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 202-1.5

Item 31.1:

No person shall conceal an emission by the use of air or other gaseous diluents to achieve compliance with an emission standard which is based on the concentration of a contaminant in the gases emitted through a stack.

Condition 32: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 32.1:

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

Emission Unit: U-00003



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Emission Unit: U-00004

Emission Unit: U-00020

Regulated Contaminant(s):

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Plant Name - Samuel A. Carlson Generation
Station

ORIS/Facility Code - 2682

Part 204 NOx Budget Unit(s) - 3 (boilers 9 & 12), 4
(boilers 10 & 11), & 20 (combustion gas
turbine)

NITROGEN OXIDES REQUIREMENTS

(1) 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

(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: CONTINUOUS
Reporting Requirements: NOVEMBER 30TH

Condition 33: Submissions to the Department.
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-2.1

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 33.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

Item 33.2: 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 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 34: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 34.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00020

Regulated Contaminant(s):

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

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A.) 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.

B.) 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.

C.) 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 to the unit, including those items required by Section 204-4.1(c) below:

- (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 of this Part;
- (3) whether all the NOx emissions from the unit 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 of this Part. 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;
- (4) whether the facts that form the basis for certification under Subpart 204-8 of this Part 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 of this Part, if any, has

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



changed; and

(5) if a change is required to be reported under paragraph (4) of this subdivision, 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: CONTINUOUS

Reporting Requirements: NOVEMBER 30TH

**Condition 35: Submission of NOx allowance transfers.
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 35.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

Item 35.2: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

- (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 36: Reference to 40CFR and list of requirements.
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 36.1:

This Condition applies to:

Emission Unit: U00003



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Emission Unit: U00004

Emission Unit: U00020

Item 36.2: 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 Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

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 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 37: Requirements for recertification of monitoring systems.
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 37.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

Item 37.2: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 38: Out of control periods.

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 38.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

Item 38.2: Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

Condition 39: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 39.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00020

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NO_x Budget unit shall submit written notice to the Department and the

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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
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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 40: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-8.5

Item 40.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00020

Item 40.2:

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 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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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 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 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 41: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 204-8.7



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Item 41.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00020

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a unit that elects to monitor and report NOx Mass emissions using a NOx concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Monitoring Frequency: HOURLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 42: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 42.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00005 Emission Point: 00005

Emission Unit: U-00006 Emission Point: 00006

Emission Unit: U-00007 Emission Point: 00007

Emission Unit: U-00008 Emission Point: 00008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES



Item 42.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

- 1) No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any emission points, except only the emission of uncombined water vapor.
- 2) The permittee shall monitor compliance with this limit by undertaking the following at least once during each day the process is in operation:
 - a) Observe the visible emissions from each emission point in the emission units. Each visible emission observation shall be performed at a location with the proper sun angle, background, and line of sight as required by EPA Method 9. The observer must be trained and knowledgeable regarding the effects on the visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor).
 - b) If any visible emissions are observed the permittee shall:
 - i) conduct an EPA Method 9 opacity observation for three consecutive 6-minute periods,
 - ii) conduct an inspection of the process and control device, and
 - iii) record in a log the date, time, staff name, results of each visible emission/Method 9 observation, inspection findings, and the corrective actions taken. The log shall be made available for Department review upon request.
- 3) If any of the initial Method 9 6-minute average opacities exceed 20% then corrective actions shall be taken to reduce opacity below 20%. Another three consecutive 6-minute opacity observations shall be conducted after the corrective actions have been made, using EPA Method 9 to confirm opacity remains below 20%.
- 4.) Each event which exceeds the 20% opacity standard shall be reported as a deviation in the semi-annual report. The details of each deviation shall be included



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

in the semi-annual report and include at least the date, time, initial opacity observations, corrective actions taken, and follow up opacity observations.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR Part 60, Appendix A, Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 43: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 43.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The three month average sulfur content of coal being used shall not exceed 1.9 pounds per million Btu. This limit shall be monitored by the use of a continuous emission monitoring system (CEMS) which measures sulfur dioxide emissions. The CEMS shall be installed and operated to meet the requirements of 40 CFR Part 75 Appendix A and shall meet the quality assurance and quality control requirements of 40 CFR Part 75 Appendix B.

2) The equivalent three month rolling average sulfur dioxide emission limit is 3.8 pounds per million



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Btu.

3) The three month average sulfur emission rate shall be reported for each month of a compliance reporting period.

Manufacturer Name/Model Number: TECO 43i
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.9 pounds per million Btus
Reference Test Method: 40 CFR 75 App A
Monitoring Frequency: CONTINUOUS
Averaging Method: 3-MONTH AVERAGE ROLLED MONTHLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 44: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 44.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The maximum 24 hour average sulfur content of coal being used shall not exceed 2.5 pounds per million Btu. This limit shall be monitored by the use of a continuous emission monitoring system (CEMS) which measures sulfur dioxide emissions. The CEMS shall be installed and operated to meet the requirements of 40 CFR Part 75 Appendix A and shall meet the quality assurance and quality control requirements of 40 CFR Part 75 Appendix B.



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

2) The equivalent 24-hour average sulfur dioxide emission limit is 5.0 pounds per million Btu.

3) The daily 24 hour average sulfur emission rates shall be reported for each day of a compliance reporting period.

Manufacturer Name/Model Number: TECO 43i
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 2.5 pounds per million Btus
Reference Test Method: 40 CFR 75 App A
Monitoring Frequency: CONTINUOUS
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 45: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 45.1:

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

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00023

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

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

1) No person shall sell, offer for sale, purchase or use any distillate oil fuel which contains more than 2.00 percent sulfur by weight (20,000 ppm sulfur). This limit is in the Federally enforceable State Implementation



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Plan.

2) Records of each oil delivery shall be kept for at least five years and contain the delivery date, quantity of fuel received, sulfur content, specific gravity, and heating value of the oil [6 NYCRR 225-1.8].

3) The highest sulfur content from any batch of oil delivered during a compliance reporting period shall be reported in the compliance report. If no oil was delivered state so.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 2.00 percent by weight
Reference Test Method: ASTM D 4294
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 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 46.1:

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

Emission Unit: U-00003

Emission Unit: U-00004

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

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

1) No person shall cause or allow an emission into the



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

outdoor atmosphere of particulates in excess of 0.10 pounds per million Btu from any stationary combustion installation firing oil or any liquid fuel.

2) Oil firing is used primarily during boiler startup. The boilers are not designed to fire oil or any liquid fuel exclusively for extended periods of time.

3) In writing the Department may request a stack test to determine compliance with the above standard.

4) If a stack test is requested, a stack test report shall be submitted within 60 days of the testing.

5) The semi-annual reports shall indicate if any testing was conducted and a brief summary of the results and the compliance status. If no testing was conducted during the reporting time frame state so.

Upper Permit Limit: 0.10 pounds per million Btus

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 47: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 47.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00003 Emission Point: 00003

Emission Unit: U-00004 Emission Point: 00004

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:
OPACITY REDUCTION PROGRAM

1. Objective

The Opacity Reduction Program originated in the Excess Opacity Consent Order (D990009708) signed on July 11, 2001, and was incorporated into the original (Mod 0) Title V air permit in its entirety. The following Program does not include background information and requirements that have already been completed to meet the original Program, however, it does contain the essential elements of the Program. At all times, including periods of startup, shutdown and malfunction, the Permittee shall maintain and operate the facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

In June 2006 the Permittee submitted an application for the construction and operation of a circulating fluidized bed (CFB) boiler on the same property. The CFB is expected to primarily burn bituminous coal and petroleum coke, however 20% of the heat input may be from tire derived fuel or 25% of the heat input may be from wood. If this project is constructed it will use a baghouse to control particulate emissions, which will minimize excess opacity events. When the CFB commences operation two of the existing coal boilers, #10 and #11, will be retired, thus eliminating two potential sources of excess opacity. Existing coal boilers #9 and #12 are expected to stay operational when it is economical to do so.

2. Opacity Monitor

The Permittee's opacity monitors shall continue to be operated and maintained in accordance with the requirements of 40 CFR Part 75, the manufacturer's recommendations, and Permittee's Quality Assurance and Quality Control program.

3. ESP Operation, Maintenance and Monitoring

The Permittee shall operate and maintain its electrostatic precipitators (ESPs) in a manner consistent with good air pollution control practice for minimizing emissions. The Permittee shall monitor ESP parameters as required in the

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Compliance Assurance Monitoring, 40 CFR Part 64, permit condition for the coal boilers.

4. Opacity Incident Reporting (OIR)

The Permittee shall maintain an OIR log for recording relevant equipment and operational information during and/or immediately subsequent to each opacity incident. An excess opacity emissions incident consists of one or more six minute periods in which the average opacity exceeds 20%, except for one six-minute period per hour of not more than 27%, which are caused by the same circumstances. The opacity incident log shall include at a minimum the following information:

- a. The personnel on duty.
- b. Identification of the process and/or equipment involved.
- c. The opacity incident start time.
- d. The 6 minute average opacity measurements during the incident. This can be a table or graph.
- e. The mode of operation e.g. cold startup.
- f. A description of the opacity incident and as necessary a sequence of events.
- g. The preliminary cause of the exceedance.
- h. What corrective action was taken and when.
- i. The result of the corrective action taken.
- j. The time the opacity incident ended.
- k. The status of air cleaning equipment: which ESP fields were not operating, and the voltage, secondary amperage, and spark rates for the operating ESP fields.

Opacity incident logs shall be maintained by the Permittee for a period of five years and shall be made available for inspection by the Department on demand. The information contained within opacity incident logs shall form the basis for more detailed root cause analysis, which will then be used to determine what if any corrective actions, design modifications and project/program development and implementation are appropriate to eliminate future opacity incidents.

5. Excess Emissions and Monitoring System Performance Reporting

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

- a. A summary page providing total number of exceedances; total number of unexcused exceedances and their Stipulated Penalty Type as defined in the order; the Stipulated Penalty calculation; monitor down time expressed as percentage of operating time; compliance rates, based on both total reported and unexcused exceedances expressed (to the hundredth) as percentage of operating time; and baseline opacity calculated as an average of all six-minute reporting periods.
- b. The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- c. For each period of excess emission, specific identification of the cause and corrective action taken;
- d. For each period which the excess emission is considered unavoidable, an explanation of why the exceedance was unavoidable.
- e. Identification of all periods of the continuous opacity monitoring system (COMS) downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- f. The total time in which the COMS are required to record data during the reporting period;
- g. The total number of exceedances and the duration of exceedances expressed as a percentage of the total time in which the COMS are required to record data;

6. Quality Assurance Program

The Permittee shall implement a quality assurance program consisting of quarterly data reviews and semi-annual program audits. Quarterly data reviews shall be conducted so that the opacity data collected during the quarter shall be examined to assure that exceedance events are

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



properly documented with an OIR and required notifications have been made. A quarterly opacity report shall be submitted to NYSDEC for review and approval. The submittal shall be postmarked by the 60th day following the end of each calendar quarter. The reports shall include a tabulation of all opacity exceedances, except for those excluded under 6 NYCRR Part 227. It shall also identify the causes of the events (non-exempt exceedance, or startup, shutdown, off line maintenance, equipment malfunction). The reports shall include a tabulation of opacity monitor downtime (except zero and span checks) and missing data.

The audits shall be verified by both daily zero and span checks and annual calibration error assessments. They shall also review the documentation to assure that all records are complete, and proper documentation is maintained of all OIR and monitor maintenance.

7. Awareness, Communications & Training

The Permittee shall conduct opacity awareness training for plant operators and maintenance personnel and supervisors at the station level. Opacity awareness training shall include a review of opacity regulations and monitoring requirements, a discussion of opacity monitoring equipment, an explanation of the source of opacity, the impact of changes to plant equipment and operating parameters upon opacity, and a discussion of corrective actions to be taken when excessive opacity levels occur.

Staff responsible for preparing OIRs shall receive appropriate training in EPA reason categories, the stipulated penalty provision of the excess opacity Order, and Articles 15 and 175 of the Penal Law.

Permittee's executive management shall be informed of opacity performance on a quarterly basis.

8. Preventative Maintenance

Corrective maintenance activities shall be performed as

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



needed. All corrective maintenance activities shall be documented on Corrective Action Sheets. These sheets shall be maintained on-site for five years.

The preventative maintenance program shall include the following daily, weekly and scheduled outage activities:

DAILY

- a. Each opacity monitor automatically performs a zero and span calibration check every 24 hours according to 40 CFR 60, Appendix B, Performance Specification 1.
- b. Daily zero and span calibration data are reviewed. Six-minute opacity data from each unit are reviewed. The maintenance technicians correct any problems identified at this time. If the problem cannot be corrected, a COMS maintenance consultant is contacted.

WEEKLY

BPU Personnel review opacity calibration trending and six-minute opacity data trending. If a problem is suspected, the BPU Personnel take corrective action and if the problem is not resolved, a COMS consultant is contacted.

MONTHLY

Clean the lenses at each unit and performs any required maintenance.

QUARTERLY

- a. Performs opacity audits according to 40 CFR 60, PS1. During the audit, the monitor alignment is checked and adjusted, if required, and the lenses are cleaned.
- b. Opacity reports are generated from the COMS and submitted to NYSDEC Region 9 Air Pollution Control Engineer and the Central Office Division of Air Resources, Bureau of Stationary Sources.

ANNUALLY

Perform an opacity monitor response time test in accordance with 40 CFR 60, Appendix B, Performance Specification 1.

9. **Root Cause Analysis and Corrective Actions**

The Permittee shall investigate the cause(s) of each



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

exceedance of the opacity limit. Corrective actions (e.g., revised maintenance procedures, equipment upgrades, and personnel refresher training for opacity awareness) shall be developed. A discussion of the opacity exceedances and the corrective actions shall be included with the quarterly excess emissions report that is required to be prepared and submitted elsewhere in this permit. The discussion shall also update the status of any corrective actions identified previously until the corrective actions are complete.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 48: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 48.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00022 Emission Point: 00022

Emission Unit: U-00020 Emission Point: 00020

Emission Unit: U-00020 Emission Point: 00021

Emission Unit: U-00023 Emission Point: 00023

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 48.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

- 1) No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute



period per hour of not more than 27 percent opacity.

- 2) In the event the combustion installation experiences operational problems which could result in smoke, a trained opacity observer shall make an opacity observation. The opacity observer shall:
 - a) Observe the opacity from the emission point. Each opacity observation shall be performed at a location with the proper sun angle, background, and line of sight as required by EPA Method 9. The observer must be trained and knowledgeable regarding the effects on the visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor).
 - b) If the instantaneous opacity is 10% or greater, then the permittee shall:
 - i) conduct an EPA Method 9 opacity observation for three consecutive 6-minute periods,
 - ii) conduct an inspection of the process and control device, and
 - iii) record in a log the date, time, staff name, results of each opacity/Method 9 observation, inspection findings, and the corrective actions taken. The log shall be made available for Department review upon request.
- 3) If any of the initial Method 9 6-minute average opacities exceed 20% then corrective actions shall be taken to reduce opacity below 20%. Another three consecutive 6-minute opacity observations shall be conducted after the corrective actions have been made, using EPA Method 9 to confirm opacity remains below 20%.
- 4.) Each event which exceeds the 20% opacity standard shall be reported as a deviation in the semi-annual report. The details of each deviation shall be included in the semi-annual report and include at least the date, time, initial opacity observations, corrective actions taken, and follow up opacity observations.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR Part 60, Appendix A, Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 49.1:

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

Emission Unit: U-00003 Emission Point: 00003

Emission Unit: U-00004 Emission Point: 00004

Regulated Contaminant(s):
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 person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.
- 2) Any exceedance of the above opacity limits shall be considered a violation and subject to the penalty provisions of the existing opacity consent order, D990009708. In the event the facility makes a claim that an opacity violation was unavoidable, it shall make a written request to the Department for consideration. The request shall contain the record keeping and reporting requirements of 6 NYCRR 201-1.4, Unavoidable Noncompliance and Violations. Violations caused by necessary scheduled maintenance, start-up/shutdown and malfunction or upset may be excused at the discretion of the Commissioner if such violations were unavoidable. Load changes to meet demand, soot blowing or any other routine occurrence resulting in a violation shall not be

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



considered unavoidable. Also, start-ups/shutdowns and malfunctions shall not be assumed to be unavoidable.

3) Each event which exceeds the 20% opacity standard shall be reported as a deviation in the semi-annual report. The details of each deviation shall be included in the semi-annual report and include at least the date, time, initial opacity observations, corrective actions taken, and follow up opacity observations.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR Part 60, Appendix A, Method 9
Monitoring Frequency: CONTINUOUS
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 8/29/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 50: Compliance Plan
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 50.1:
Compliance will be achieved according to the following schedule for the Facility:

Consent Order: D990009798
Progress Report Begin Date: 08/30/2001

Item 50.2:
Remedial Measure:
Schedule Date: 08/30/2001
This Compliance Plan is based on Appendix A in the facility's "Opacity Consent Order", and the requirements are contained in the facility level compliance certification condition under a 6 NYCRR Part 227-1.3(a) citation.

Condition 51: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 51.1:
The Compliance Certification activity will be performed for the facility:



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

The Compliance Certification applies to:

Emission Unit: U-00003 Emission Point: 00003

Emission Unit: U-00004 Emission Point: 00004

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2007.

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

**Condition 52: Applicability of Subpart A General Provisions
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 52.1:

This Condition applies to:

Emission Unit: U00008

Emission Unit: U00020

Emission Unit: U00022

Emission Unit: U00023

Item 52.2:

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 53: EPA Region 2 address.

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 53.1:

This Condition applies to:

Emission Unit: U00008

Emission Unit: U00020

Emission Unit: U00022

Emission Unit: U00023

Item 53.2:

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:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

Condition 54: Recordkeeping requirements.
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A

Item 54.1:

This Condition applies to:

Emission Unit: U00008

Emission Unit: U00020

Emission Unit: U00022

Emission Unit: U00023

Item 54.2:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 55: Facility files for subject sources.
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A

Item 55.1:

This Condition applies to:

Emission Unit: U00008

Emission Unit: U00020

Emission Unit: U00022

Emission Unit: U00023

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 55.2:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 56: Compliance with Standards and Maintenance Requirements
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 40CFR 60.11(d), NSPS Subpart A

Item 56.1:

This Condition applies to:

Emission Unit: U00008

Emission Unit: U00020

Emission Unit: U00022

Emission Unit: U00023

Item 56.2:

At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

**Condition 57: Circumvention.
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 57.1:

This Condition applies to:

Emission Unit: U00008

Emission Unit: U00020



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Emission Unit: U00022

Emission Unit: U00023

Item 57.2:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 58: Continuous Monitoring Requirements
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.13(a), NSPS Subpart A

Item 58.1:

This Condition applies to:

Emission Unit: U00020

Item 58.2: For the purposes of this section, 40 CFR Part 60.13, all continuous monitoring systems required under applicable subparts of 40 CFR Part 60 shall be subject to the provisions of this section, upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part, 40 CFR Part 60, and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator.

Condition 59: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.13(d), NSPS Subpart A

Item 59.1:

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

Emission Unit: U-00020

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of all continuous emission monitoring systems installed in accordance with the



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

provisions of this part shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified.

Reference Test Method: 40 CFR 60 Appendix B

Monitoring Frequency: DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 60: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.13(e), NSPS Subpart A

Item 60.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00020

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40CFR60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows: All continuous monitoring systems referenced by 40CFR60.13(c) for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

Reference Test Method: 40CFR60 Appendices

Monitoring Frequency: CONTINUOUS



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 61: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.13(h), NSPS Subpart A

Item 61.1:

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

Emission Unit: U-00020

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of all continuous monitoring systems subject to 40CFR60 other than opacity shall reduce all data to 1-hour averages for time periods as defined in 40CFR60.2. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/Joule of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit.

Reference Test Method: 40 CFR 60

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Condition 62: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 64

Item 62.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00005 Emission Point: 00005

Emission Unit: U-00006 Emission Point: 00006

Emission Unit: U-00007 Emission Point: 00007

Emission Unit: U-00008 Emission Point: 00008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

I. Compliance Assurance Monitoring (CAM)

Description:

The particulate emissions from the fuel and ash handling systems are subject to 40 CFR Part 64, CAM based on the following criteria:

1. Air Pollutant - Particulate Matter (PM) emitted from fuel and ash handling emission control equipment
2. Applicable Regulation - 6 NYCRR Part 212.4(c)
3. Emission Limit - 0.050 grains of PM/dry standard cubic feet
4. Control equipment - fabric filter
5. Emissions - the pre-control emission from from each of the following emission units (EU) and associated emission points (EP) is greater than 100 tons per year (tpy), however the post-control emissions for EU 5/EP 5 are about 1.0 tpy, EU 6/EP 6 are about 1.1 tpy, EU 7/EP 7 are about 4.5 tpy, and for EU 8/EP 8 are about 6.6 tpy.

II. CAM Program:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



1) The facility shall monitor compliance with the emission limit by undertaking the following at least once daily at each emission point that is operating:

a) The facility shall observe the visible emissions from each emission point in the emission unit(s). Each visible emission observation shall be performed at a location with the proper sun angle, background, and line of sight as required by EPA Method 9. The observer must be trained and knowledgeable regarding the effects on the visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor).

b) If any visible emissions exceed five percent opacity, the permittee shall conduct an inspection of the process(s) and control device(s), recording any problems observed, the cause, and what corrective actions were taken.

(c) The date, time, staff name and results of each visible emission observation and inspection shall be recorded in a log. The log shall be made available for Department review upon request.

(d) Any visible emission with 5% opacity or greater is an excursion.

2.) For each excursion that cannot be corrected, the department shall be notified at the Region 9 Office in Buffalo of the excursion by fax within 2 business days of the follow up opacity observation. The notification shall include the initial and final opacity, the cause of the excursion, and the corrective actions taken.

3.) If corrective actions do not eliminate visible emissions with an opacity greater 5%, than an emission stack test for particulate matter may be required by the department. Such testing shall to be conducted within 60 days of notification.

4.) If a stack test is required, a compliance test protocol shall be submitted to the department for approval at least 30 days before the scheduled testing, and a test report must be submitted to the department within 60 days of the testing, according to 6NYCRR Part 202-1.

5.) A Quality Improvement Plan (QIP) shall be developed and implemented when total opacity excursions are recorded for more than 5 percent of the operating time for each



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

emission point during the semi-annual reporting period.
An exceedance of this threshold shall be reported as a deviation in the semiannual and annual compliance reports.
The elements of a QIP are included in a 40 CFR Part 64.8 permit condition.

Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 63: Elements of a Quality Improvement Plan
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 64.8

Item 63.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Emission Unit: U00006

Emission Unit: U00007

Emission Unit: U00008

Item 63.2:

A) Elements of a Quality Improvement Plan (QIP) [40 CFR 64.8(b)]:

- (1) The owner or operator shall maintain a written QIP, if required, and have it available for inspection.
- (2) The plan initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:
 - (i) Improved preventive maintenance practices.
 - (ii) Process operation changes.
 - (iii) Appropriate improvements to control methods.
 - (iv) Other steps appropriate to correct control performance.
 - (v) More frequent or improved monitoring (only in conjunction with one or more steps under paragraphs (i) through (iv) above).

B) If a QIP is required, the owner or operator shall develop and implement a QIP as expeditiously as



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

practicable and shall notify the permitting authority if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined [40 CFR 64.8(c)].

C) Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act [40 CFR 64.8(e)].

**Condition 64: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 40CFR 72

Item 64.1: 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 65: Emission Point Definition By Emission Unit
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable Federal Requirement: 6NYCRR 201-6

Item 65.1:

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

Emission Unit: U-00003

Emission Point: 00003

Height (ft.): 195 Diameter (in.): 120
NYTMN (km.): 4668.901 NYTME (km.): 148.731 Building: SA CARLSON

Item 65.2:

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

Emission Unit: U-00004

Emission Point: 00004

Height (ft.): 195 Diameter (in.): 84
NYTMN (km.): 4668.884 NYTME (km.): 148.725 Building: SA CARLSON

Item 65.3:

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Emission Unit: U-00005

Emission Point: 00005

Height (ft.): 62 Length (in.): 30 Width (in.): 30
NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Item 65.4:

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

Emission Unit: U-00006

Emission Point: 00006

Height (ft.): 62 Length (in.): 30 Width (in.): 30
NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Item 65.5:

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

Emission Unit: U-00007

Emission Point: 00007

Height (ft.): 126 Diameter (in.): 8
NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Item 65.6:

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

Emission Unit: U-00008

Emission Point: 00008

Height (ft.): 100 Length (in.): 21 Width (in.): 13
NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Item 65.7:

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

Emission Unit: U-00020

Emission Point: 00020

Height (ft.): 200 Diameter (in.): 144
NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Emission Point: 00021

Height (ft.): 200 Diameter (in.): 144
NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Item 65.8:



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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

Emission Unit: U-00022

Emission Point: 00022

Height (ft.): 77

Diameter (in.): 28

NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Item 65.9:

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

Emission Unit: U-00023

Emission Point: 00023

Height (ft.): 72

Diameter (in.): 20

NYTMN (km.): 4668.919 NYTME (km.): 148.729 Building: SA CARLSON

Condition 66: Process Definition By Emission Unit

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 66.1:

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

Emission Unit: U-00003

Process: 001

Source Classification Code: 1-01-002-02

Process Description:

Firing bituminous coal in two dry bottom, wall fired boilers (#9 and #12) that exhaust through one common stack (EP 00003). Electrostatic precipitators control particulate emissions from each boiler. One boiler (#9) is classified as a large boiler, the other boiler is classified as a very large boiler (#12).

Emission Source/Control: 00001 - Combustion

Design Capacity: 190 million Btu per hour

Emission Source/Control: 00004 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 00003 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Emission Source/Control: 00006 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 66.2:

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

Emission Unit: U-00003

Process: 007

Source Classification Code: 1-01-005-01

Process Description:

This process is for boiler startup using #2 fuel oil. Two dry bottom, wall fired boilers (#9 and #12) are operated and emit to one common stack. Each boiler has four burners which are ignited using #2 fuel oil upon boiler startup, each oil burner is rated at 5 mmBtu/hr.

Emission Source/Control: 00001 - Combustion

Design Capacity: 190 million Btu per hour

Emission Source/Control: 00004 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 00003 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Emission Source/Control: 00006 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Item 66.3:

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

Emission Unit: U-00004

Process: 002

Source Classification Code: 1-01-002-02

Process Description:

Firing bituminous coal in two dry bottom, wall fired boilers (#10 and #11) that exhaust through one common stack (EP 00004). Electrostatic precipitators control particulate emissions from each boiler. Both boilers are classified as large boilers.

Emission Source/Control: 00007 - Combustion

Design Capacity: 190 million Btu per hour

Emission Source/Control: 0000A - Combustion

Design Capacity: 190 million Btu per hour

Emission Source/Control: 00009 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Emission Source/Control: 0000C - Control

Control Type: ELECTROSTATIC PRECIPITATOR

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 66.4:

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

Emission Unit: U-00004

Process: 008

Source Classification Code: 1-01-005-01

Process Description:

This process is for boiler startup using #2 fuel oil. Two dry bottom, wall fired boilers (#10 and #11) are operated and emit to one common stack. Each boiler has four burners which are ignited using #2 fuel oil upon startup of the boilers, each oil burner is rated at 5 mmBtu/hr.

Emission Source/Control: 00007 - Combustion

Design Capacity: 190 million Btu per hour

Emission Source/Control: 0000A - Combustion

Design Capacity: 190 million Btu per hour

Emission Source/Control: 00009 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Emission Source/Control: 0000C - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Item 66.5:

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

Emission Unit: U-00005

Process: 003

Source Classification Code: 3-99-999-94

Process Description:

Fly ash collected in the ESPs is pneumatically transported from the ESPs to one of two ash collection silos. Ash from the ESPs is collected in a receiver on top of the silo, which is then discharged via gravity into the silo. The air displaced by the ash is exhausted through a bag filter. The system operates approximately once every 2 minutes when the ash collection system is in operation. The system is operated about 5 hours per 8 hour shift.

Emission Source/Control: 0000E - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0000D - Process

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 66.6:

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

Emission Unit: U-00006

Process: 004

Source Classification Code: 3-99-999-94

Process Description:

Fly ash collected in the ESPs is pneumatically transported from the ESPs to one of two ash collection silos. Flyash and bottom ash are collected via the transport system in a receiver on top of the silo, which is then discharged via gravity into the silo. The air displaced by the ash is exhausted through a bag filter. The system operates approximately once every 2 minutes when the ash collection system is in operation. The system is operated about 3 hour per 8 hour shift.

Emission Source/Control: 00010 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0000F - Process

Item 66.7:

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

Emission Unit: U-00007

Process: 005

Source Classification Code: 3-99-999-94

Process Description:

The ash handling system collects flyash from the ESPs and pneumatically transports it to the ash collection silos. The pneumatic transport air is exhausted out emission point 00007 through a bag filter. The cleaned air from the bag filter is drawn through a mechanical exhauster (fan) and then discharged to the atmosphere.

Emission Source/Control: 00012 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 00011 - Process

Item 66.8:

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

Emission Unit: U-00008

Process: 006

Source Classification Code: 3-99-999-94

Process Description:

Coal is transported on a conveyor system through the plant. Air displaced by coal in the coal silo enters the



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

conveyor system, where the air in the conveyor corridors is collected, filtered through a bagfilter and exhausted out emission point 8. When the bag collectors are intermittently cleaned with a compressed air pulse jet, the collected coal dust is discharged to the coal bunker for use.

Emission Source/Control: 00014 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 00013 - Process

Item 66.9:

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

Emission Unit: U-00020

Process: DB1

Source Classification Code: 1-01-006-01

Process Description:

This process is the exclusive firing of the duct burner using natural gas. (This process is not actually possible since the duct burner cannot fire without the turbine. The process was defined because 40 CFR 60 subpart Db applies to the duct burner only.)

Emission Source/Control: 00021 - Combustion

Design Capacity: 144 million Btu per hour

Item 66.10:

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

Emission Unit: U-00020

Process: GT1

Source Classification Code: 2-02-002-03

Process Description:

This process is a GE LM6000 gas turbine and Deltak HRSG with supplemental firing of a duct burner, with both the turbine and duct burner firing natural gas. NOx from the turbine is controlled by water injection.

Emission Source/Control: 00020 - Combustion

Design Capacity: 430 million Btu per hour

Emission Source/Control: 00021 - Combustion

Design Capacity: 144 million Btu per hour

Emission Source/Control: 00019 - Control

Control Type: STEAM OR WATER INJECTION

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 66.11:

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

Emission Unit: U-00020

Process: GT2

Source Classification Code: 2-02-002-03

Process Description:

This process is the GE LM6000 gas turbine only, firing natural gas. NOx from the turbine is controlled by water injection. The duct burner is not operating, and the exhaust gas does not go through the HRSG.

Emission Source/Control: 00020 - Combustion

Design Capacity: 430 million Btu per hour

Emission Source/Control: 00019 - Control

Control Type: STEAM OR WATER INJECTION

Item 66.12:

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

Emission Unit: U-00022

Process: 010

Source Classification Code: 1-01-006-02

Process Description:

This process is a 23.3 mmBtu/hr boiler firing natural gas.

Emission Source/Control: 00022 - Combustion

Design Capacity: 23.3 million Btu per hour

Item 66.13:

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

Emission Unit: U-00023

Process: ET1

Source Classification Code: 2-01-001-01

Process Description:

A 750 kW emergency backup combustion gas turbine generator set that will provide black start capability for the LM6000 combustion gas turbine. This turbine will fire only distillate oil and will operate only when the primary power source at the SA Carlson station has been rendered inoperable by an emergency situation and for weekly testing. Operations will be limited to 500 hours per year.

Emission Source/Control: ET001 - Combustion

Design Capacity: 13.4 million Btu per hour

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Condition 67: Emission Unit Permissible Emissions
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 67.1:

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00020

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 180,000 pounds per year

Emission Unit: U-00022

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 17,400 pounds per year

Emission Unit: U-00020

CAS No: 0NY075-00-5

Name: PM-10

PTE(s): 28,000 pounds per year

Emission Unit: U-00022

CAS No: 0NY075-00-5

Name: PM-10

PTE(s): 1,600 pounds per year

Emission Unit: U-00004

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 290,000 pounds per year

Emission Unit: U-00020

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 320,000 pounds per year

Emission Unit: U-00022



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 10,000 pounds per year

Condition 68: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 64

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 68.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

I. CAM Description:

The particulate emissions from emission unit (EU) U-00003, emission point (EP) 00003 for boilers 9 & 12 (commonly called the north stack) are subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) based on the following criteria:

1. Air Pollutant - Particulate Matter (PM)
2. Applicable Regulation - 6NYCRR Part 227-1.2(a)(4)
3. Emission Limit - 0.26 lbs/mmBtu
4. Control equipment - each boiler has a cold side electrostatic precipitator (ESP) equipped with three fields
5. Pre-control emissions - greater than 100 tons per year (tpy), actual emissions after controls are still greater than 100 tpy from each emission point.

II. CAM Program:

The permittee shall:

1. Conduct a particulate matter performance emission test annually. The Department may request more frequent

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



compliance testing if it is determined necessary. Each stack test shall be conducted within 13 months of the previous stack test. The testing shall follow EPA Method 5 procedures in 40 CFR Part 60, Appendix A. The permittee shall submit a stack test protocol at least 30 days prior to the scheduled testing date for Department review and approval, and submit a stack test report within 60 days of completing the testing.

2. Use opacity readings from the continuous opacity monitoring system as an indicator of continuous particulate matter control device performance. A review of historical opacity data shows that the north stack, EP 00003, typically operates at less than 5% opacity. Therefore, if any hourly average opacity measurement is greater than 5% at EP 00003 it will be an excursion. For each excursion the permittee shall investigate the cause(s), shall initiate corrective actions as necessary to minimize the occurrence of excursions, and record the cause(s), corrective action, date, time, the actual opacity average, and the threshold value of 5% opacity.

3. Use secondary voltage measured by voltage monitoring equipment at each electrostatic precipitator (ESP) as an indicator of the continuous particulate matter control device performance. A review of historical secondary voltage data shows that the average hourly voltage for the ESP's, calculated as the average voltage of all three ESP fields in each ESP, are typically above 31.07 kilovolts (KV) for boiler/ESP 9 and 31.83 KV for boiler/ESP 12. If the one-hour average voltage falls below the threshold voltage values above it will be considered an excursion. The permittee must investigate the cause(s) of each excursion, shall initiate corrective actions as necessary to minimize the occurrence of excursions, and record the cause(s), corrective action, date, time, ESP, the actual voltage, and the respective threshold voltage.

4. The minimum data availability requirement for valid data collection for each averaging period, and the minimum data availability requirement for the averaging periods in the reporting period is 95% of the emission points' operating time [64.6(b)(4)]. Hourly opacity averages shall be calculated from the 6-minute opacity averages for each clock hour. The ESP secondary voltage shall be measured and recorded at least four times an hour. The

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



readings must be evenly spaced through the hour [40 CFR 64.3(b)(4)(ii)].

5. Semi-annually, the permittee shall submit a report that:

a. Summarizes the number, duration and cause of excursions or exceedances, and the corrective actions taken [40 CFR 64.9(a)(2)(i)],

b. Summarizes the number, duration and cause for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks) [40 CFR 64.9(a)(2)(ii)], and

c. Reports the boiler operating hours during the reporting period and summarizes the excursions as a percentage of the operating hours.

6. A Quality Improvement Plan (QIP) shall be developed and implemented when there are opacity excursions, or voltage excursions for more than 5% of the operating hours during the semi-annual reporting period. An exceedance of the 5% threshold shall be reported as a deviation in the semi-annual and annual compliance reports [40 CFR 64.8(a)]. The elements of a QIP are included in a 40 CFR Part 64.8 permit condition in this permit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.26 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 69: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Process: 001



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

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- 1) No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of the permissible emission rates (specified in Table 1 of subdivision (b) of 6 NYCRR 227-1.2) from any stationary combustion installation burning coal and/or wood, coke, or any solid fuel derived from coal.
- 2) The maximum combined heat input to this stack is 487 mmBtu/hr. Using the equation $E = 1.0/(p^{0.22})$ from 6 NYCRR 227 subpart 1, section 2, table 1, footnote b, where 'E' is the permissible emission rate, and 'p' is the maximum heat input capacity in mmBtu/hr, the permissible emission rate is 0.256, which rounds to 0.26 lbs/mmBtu.
- 3) While firing coal, the facility shall conduct an annual compliance emission test on each boiler for particulates based on methods in 6NYCRR Parts 202-1.1 & 202-1.3, or equivalent. Stack testing shall be done according to EPA Method 5 and shall follow Department guidance for stack testing of stationary combustion installations.
- 4) The semi-annual compliance reports shall include either
 - 1) when the next particulate stack test is planned for, or
 - 2) the date the last stack test was conducted and if it showed compliance or not.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.26 pounds per million Btus
Reference Test Method: EPA Method 5
Monitoring Frequency: ANNUALLY
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Condition 70: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(b)(1)

Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003
Process: 001 Emission Source: 00001

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

Item 70.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The #9 boiler (emission source 00001) is a "large boiler" as defined under Part 227-2 and fires pulverized coal.

a) During the ozone season, May 1 through September 30, emissions of NO_x from this boiler shall not exceed 0.50 lbs of NO_x per mmBtu during any 24 hour daily averaging period. The stack daily 24 hour average NO_x emission rate shall be recorded and reported quarterly, identifying each time period when the #9 boiler is operated alone.

b) During the non-ozone season, October 1 through April 30, the NO_x emissions from this boiler shall not exceed 0.50 lbs of NO_x per mmBtu during any 30 day rolling averaging period. The rolling 30 day average NO_x emissions from boiler #9 shall be calculated from the 24 hour daily average NO_x emission rates when boiler #9 operates alone. The stack rolling 30 day average NO_x emission rate shall be recorded and reported quarterly.

2) NO_x emissions from the boiler stack shall be monitored continuously by continuous emissions monitoring systems (CEMS). However, boiler #12 (emission source 00004) is a "very large boiler" which also emits to the same stack (emission point 00003) - prior to the CEMS location, so continuous monitoring of NO_x emissions from the # 9 boiler



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

alone may not always be possible. Periodic monitoring for NOx emissions from boiler #9 shall be conducted using the stack CEMS.

3) The facility shall report each exceedance of the 0.50 lbs of NOx per mmBtu limit occurring during each quarter, when boiler #9 is operating alone, if any, and an explanation on what caused the exceedance and what steps have been or will be taken to remedy the exceedance. If the boiler did not operate alone, or did not operate at all state so.

4) The facility has opted to follow the procedures in 40 CFR 75 to demonstrate compliance with 6 NYCRR 227-2. In addition, per 6 NYCRR 227-2.6(b)(5), emission rates to demonstrate compliance with 6 NYCRR 227-2 may be calculated and reported as described in 6 NYCRR 227-2.6(b)(3)(i)(b).

Manufacturer Name/Model Number: TECO 42i
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.50 pounds per million Btus
Reference Test Method: 40 CFR 75, App. A
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 71: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(a)(1)

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003
Process: 001 Emission Source: 00004

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

Item 71.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The #12 boiler (emission source 00004) is a " very large boiler" as defined under Part 227-2 which is a wall fired dry bottom pulverized coal boiler.

a) During the ozone season, May 1 through September 30, emissions of NOx from this boiler shall not exceed 0.45 lbs of NOx per mmBtu during any 24 hour daily averaging period. The stack daily 24 hour average NOx emission rate shall be recorded and reported quarterly, identifying each time period when the #12 boiler is operated alone.

b) During the non-ozone season, October 1 through April 30, the NOx emissions from this boiler shall not exceed 0.45 lbs of NOx per mmBtu during any 30 day rolling averaging period. The rolling 30 day average NOx emissions from boiler #12 shall be calculated from the 24 hour daily average NOx emission rates when boiler #12 operates alone. The stack rolling 30 day average NOx emission rate shall be recorded and reported quarterly.

2) NOx emissions from the boiler stack shall be monitored continuously by continuous emissions monitoring systems (CEMS). However, boiler #9 (emission source 00001) is a " large boiler" which also emits to the same stack (emission point 00003) - prior to the CEMS location, so continuous monitoring of NOx emissions from the # 12 boiler alone may not always be possible. Periodic monitoring for NOx emissions from boiler #12 shall be conducted using the stack CEMS.

3) The facility shall report each exceedance of the 0.45 lbs of NOx per mmBtu limit occurring during each quarter, when boiler #12 is operating alone, if any, and an explanation on what caused the exceedance and what steps have been or will be taken to remedy the exceedance. If the boiler did not operate alone, or did not operate at all state so.

4) The facility has opted to follow the procedures in 40 CFR 75 to demonstrate compliance with 6 NYCRR 227-2. In addition, per 6 NYCRR 227-2.6(b)(5), emission rates to demonstrate compliance with 6 NYCRR 227-2 may be



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

calculated and reported as described in 6 NYCRR
227-2.6(b)(3)(i)(b).

Manufacturer Name/Model Number: TECO 42i
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.45 pounds per million Btus
Reference Test Method: 40 CFR 75, App. A
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING
DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 72: Capping Monitoring Condition
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 72.1:

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:

6NYCRR 231-2.2(a)(4)
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:



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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: U-00004

Regulated Contaminant(s):

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

Item 72.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

1) This condition establishes federal enforceability of capping to CREATE emission reduction credits by curtailment of NOx emissions from existing emission unit U-00004. This cap will be superceded by a more restrictive NOx cap when the proposed circulating fluidized bed boiler project commences operation. The new capping requirements are in a separate permit condition.

2) EMISSION REDUCTION DESCRIPTION: The existing electric power plant has accepted an annual NOx emission limit of 145.0 ton/yr on the south stack (EP00004) in order to create 125.5 tons of NOx emission reduction credits to be used at the same facility as part of a Net Emission Increase Determination of Non-Applicability for the JBPU gas turbine expansion project (Permit Id 9-0608-00053/00027). The reduction date will be the day of commencement of operation of the JBPU turbine expansion project, where "commence operation" allows for a shakedown period not to exceed 180 days as defined in 6 NYCRR section 231-2.1. (The gas turbine became operational during 2001.)

3) CONTAMINANT EMISSION REDUCTION DATA:

Baseline Period: 01/01/1997 to 12/31/1998.

Reduction Date: The day of commencement of operation of the JBPU turbine expansion project.

Method Used to Reduce Emissions: 02- curtailment.

CAS No. of the Nonattainment Contaminant for which ERCS



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

are Being Requested: 0NY210-00-0.
Contaminant Name: Oxides of Nitrogen (NOx)
Amount of ERC which is to be used for Netting: 251,000
lbs/yr.

4) FACILITY TO USE FUTURE REDUCTION:

Name: Samuel A. Carlson Generating Station
Address: 136 Steele Street, City of Jamestown, NY
14701
Application Id: 9-0608-00053/00027.

5) FEDERALLY ENFORCEABLE EMISSION CAP:

As provided for in 6 NYCRR subpart 201-7, a source owner or operator may elect to accept federally enforceable permit terms and conditions which restrict or cap emissions from a stationary source or emission unit where needed to establish an emission reduction credit as defined under 6 NYCRR subpart 231-2. NOx emissions from this emission unit are limited to 145.0 ton/yr, on a 52-week rolling total basis. Compliance with this limit shall be demonstrated by maintaining records of weekly and rolling 52-week total NOx emissions as measured by the NOx CEMS. This limit will be used to create 125.5 tons of ERCs as calculated on the ERC Quantification Form attached to the original permit application. The limit becomes effective the day of commencement of operation of the JBPU turbine expansion project (Permit Id. - 9-0608-00053/00027), where "commence operation" allows for a shakedown period not to exceed 180 days as defined in 6 NYCRR section 231-2.1.

6) The periodic compliance reporting shall include the previous 52-month NOx emissions from this emission unit summed for each week of the reporting period, comparing actual emissions to the 145.0 ton limit.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 145.0 tons per year
Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL ROLLED WEEKLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 73: Capping Monitoring Condition



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Effective between the dates of 04/13/2007 and 04/12/2012

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:

6NYCRR 231-2

6NYCRR 231-2.2(a)(4)

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 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: U-00004

Regulated Contaminant(s):

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

Item 73.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL



DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

1) This condition establishes federal enforceability of capping to CREATE oxides of nitrogen (NOx) emission reduction credits from existing emission unit U-00004 by permanently shutting down boilers 10 and 11 that comprise the emission unit. This cap will replace the existing 145 tpy cap established for the gas turbine project.

2) **EMISSION REDUCTION DESCRIPTION:** The existing electric power plant has requested an annual NOx emission limit of zero emissions from emission unit U-00004 to create 125.0 tons of NOx emission reduction credits (ERCs) to be used at the same facility as part of a Net Emission Increase Determination of Non-Applicability of New Source Review, 6 NYCRR Part 231-2, for the construction of a circulating fluidized bed (CFB) boiler. The department is processing a preconstruction Air State Facility Permit, Id 9-0608-00053/00030, for the CFB project. The reduction date will be the day of commencement of operation of the JBPU CFB boiler, where "commence operation" allows for a shakedown period not to exceed 180 days as defined in 6 NYCRR section 231-2.1. JBPU plans to have the CFB operational around 2011. Existing emission point 4, which is part of EU U-00004, may be transferred to EU U-00003 after the EU U-00004 emission sources (boilers 10 & 11) are shutdown. This will allow the permittee space to install pollution control equipment on one of the two remaining coal boilers, if need be.

3) CONTAMINANT EMISSION REDUCTION DATA:

Baseline Period: 01/01/2004 to 12/31/2005.

Reduction Date: The day of commencement of operation of the JBPU CFB boiler project.

Method Used to Reduce Emissions: emission unit shutdown

CAS No. of the Non-attainment Contaminant for which ERCs are Being Requested: 0NY210-00-0

Contaminant Name: Oxides of Nitrogen (NOx)

Amount of ERC which is to be used for Netting: 250,000 lbs/yr.

4) FACILITY TO USE FUTURE REDUCTION:

Name: Samuel A. Carlson Generating Station

Address: 136 Steele Street, City of Jamestown, NY 14701

Application Id: 9-0608-00053/00030

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



5) FEDERALLY ENFORCEABLE EMISSION CAP:

As provided for in 6 NYCRR subpart 201-7, a source owner or operator has elected to accept federally enforceable permit terms and conditions which restrict or cap emissions from a stationary source or emission unit where needed to establish an emission reduction credit as defined under 6 NYCRR subpart 231-2. NOx emissions from this emission unit are limited to zero (0.0) tons/yr. Compliance with this limit shall be demonstrated by making each boiler physically inoperable, such as disconnecting all fuel supplies. This limit will be used to create 125.0 tons of ERCs as calculated on the ERC Quantification Form attached to the original permit application. The limit becomes effective the day the JBPU circulating fluidized bed boiler expansion project (Permit Id. 9-0608-00053/00030) commences operation, where "commence operation" allows for a shakedown period not to exceed 180 days as defined in 6 NYCRR section 231-2.1.

6) The Responsible Official shall submit a letter certifying that emission unit U-00004 has been permanently shutdown within 10 days of the shutdown and certify the date emission unit was shutdown and how and when each boiler was made permanently and physically inoperable.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 74: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 64

Item 74.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES



Item 74.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

I. CAM Description:

The particulate emissions from emission unit (EU) U-00004, EP 00004 for boilers 10 & 11 (commonly called the south stack) are subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) based on the following criteria:

1. Air Pollutant - Particulate Matter (PM)
2. Applicable Regulation - 6NYCRR Part 227-1.2(a)(4)
3. Emission Limit - 0.27 lbs/mmBtu
4. Control equipment - each boiler has a cold side electrostatic precipitator (ESP) equipped with three fields
5. Pre-control emissions - greater than 100 tons per year (tpy), actual emissions after controls are still greater than 100 tpy from each emission point.

II. CAM Program:

The permittee shall:

1. Conduct a particulate matter performance emission test annually. The Department may request more frequent compliance testing if it is determined necessary. Each stack test shall be conducted within 13 months of the previous stack test. The testing shall follow EPA Method 5 procedures in 40 CFR Part 60, Appendix A. The permittee shall submit a stack test protocol at least 30 days prior to the scheduled testing date for Department review and approval, and submit a stack test report within 60 days of completing the testing.
2. Use opacity readings from the continuous opacity monitoring system as an indicator of continuous particulate matter control device performance. A review of historical opacity data shows that the south stack, EP 00004, typically operates at less than 10% opacity. Therefore, if any hourly average opacity measurement is greater than 10% at EP 00004 it will be an excursion. For each excursion the permittee shall investigate the cause(s), shall initiate corrective actions as necessary



to minimize the occurrence of excursions, and record the cause(s), corrective action, date, time, the actual opacity average, and the threshold value of 10% opacity.

3. Use secondary voltage measured by voltage monitoring equipment at each electrostatic precipitator (ESP) as an indicator of the continuous particulate matter control device performance. A review of historical secondary voltage data shows that the average hourly voltage for the ESP's, calculated as the average voltage of all three ESP fields in each ESP, are typically above 32.30 kilovolts (KV) for boiler/ESP 10. Boiler 11 is not operational so no CAM thresholds were developed for it, however if it becomes operational CAM thresholds will be developed. If the one-hour average voltage falls below the threshold voltage above it will be considered an excursion. The permittee must investigate the cause(s) of each excursion, shall initiate corrective actions as necessary to minimize the occurrence of excursions, and record the cause(s), corrective action, date, time, ESP, the actual voltage, and the respective threshold voltage.

4. The minimum data availability requirement for valid data collection for each averaging period, and the minimum data availability requirement for the averaging periods in the reporting period is 95% of the emission points' operating time [64.6(b)(4)]. Hourly opacity averages shall be calculated from the 6-minute opacity averages for each clock hour. The ESP secondary voltage shall be measured and recorded at least four times an hour. The readings must be evenly spaced through the hour [40 CFR 64.3(b)(4)(ii)].

5. Semi-annually, the permittee shall submit a report that:

- a. Summarizes the number, duration and cause of excursions or exceedances, and the corrective actions taken [40 CFR 64.9(a)(2)(i)],
- b. Summarizes the number, duration and cause for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks) [40 CFR 64.9(a)(2)(ii)], and
- c. Reports the boiler operating hours during the reporting period and summarizes the excursions as a percentage of the operating hours.



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

6. A Quality Improvement Plan (QIP) shall be developed and implemented when there are opacity excursions, or voltage excursions for more than 5% of the operating hours during the semi-annual reporting period. An exceedance of the 5% threshold shall be reported as a deviation in the semi-annual and annual compliance reports [40 CFR 64.8(a)]. The elements of a QIP are included in a 40 CFR Part 64.8 permit condition in this permit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.27 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 75: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 75.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004
Process: 002

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

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1) No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of the permissible emission rates (specified in Table 1 of subdivision (b) of 6 NYCRR 227-1.2) from any stationary combustion installation burning coal and/or wood, coke, or any solid fuel derived from coal.



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

2) The maximum combined heat input to the stack is 380 mmBtu/hr. Using the equation $E = 1.0/(p^{0.22})$ from 6 NYCRR 227 subpart 1, section 2, table 1, footnote b, where 'E' is the permissible emission rate, and 'p' is the maximum heat input capacity in mmBtu/hr, the permissible emission rate is 0.271, which rounds to 0.27 lbs/mmBtu.

3) While firing coal, the facility shall conduct an annual compliance emission test on each boiler for particulates based on methods in 6NYCRR Parts 202-1.1 & 202-1.3, or equivalent. Stack testing shall be done according to EPA Method 5 and shall follow Department guidance for stack testing of stationary combustion installations.

4) The semi-annual compliance reports shall include either
1) when the next particulate stack test is planned for, or
2) the date the last stack test was conducted and if it showed compliance or not.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.27 pounds per million Btus

Reference Test Method: EPA Method 5

Monitoring Frequency: ANNUALLY

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 76: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(b)(1)

Item 76.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004

Process: 002 Emission Source: 00007

Regulated Contaminant(s):

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

Item 76.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The #10 boiler (emission Source 00007) is a "large boiler" as defined under Part 227-2 and fires pulverized coal.

a) During the ozone season, May 1 through September 30, emissions of NO_x from this boiler shall not exceed 0.50 lbs of NO_x per mmBtu during any 24 hour daily averaging period. The stack daily 24 hour average NO_x emission rate shall be recorded and reported quarterly, identifying each time period when the #10 boiler is operated alone.

b) During the non-ozone season, October 1 through April 30, the NO_x emissions from this boiler shall not exceed 0.50 lbs of NO_x per mmBtu during any 30 day rolling averaging period. The rolling 30 day average NO_x emissions from boiler #10 shall be calculated from the 24 hour daily average NO_x emission rates when boiler #10 operates alone. The stack rolling 30 day average NO_x emission rate shall be recorded and reported quarterly.

2) NO_x emissions from the boiler stack shall be monitored continuously by continuous emissions monitoring systems (CEMS). However, boiler #11 (emission source 0000A) is a "large boiler" which also emits to the same stack (emission point 00004) prior to the CEMS location, so continuous monitoring of NO_x emissions from the #10 boiler alone may not always be possible. Periodic monitoring for NO_x emissions from boiler #10 shall be conducted using the stack CEMS.

3) The facility shall report each exceedance of the 0.50 lbs of NO_x per mmBtu limit occurring during each quarter, when boiler #10 is operating alone, if any, and an explanation on what caused the exceedance and what steps have been or will be taken to remedy the exceedance. If the boiler did not operate alone, or did not operate at all state so.

4) The facility has opted to follow the procedures in 40 CFR 75 to demonstrate compliance with 6 NYCRR 227-2. In addition, per 6 NYCRR 227-2.6(b)(5), emission rates to demonstrate compliance with 6 NYCRR 227-2 may be



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

calculated and reported as described in 6 NYCRR
227-2.6(b)(3)(i)(b).

Manufacturer Name/Model Number: TECO 42i
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.50 pounds per million Btus
Reference Test Method: 40 CFR 75 App. A
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING
DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 77: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(b)(1)

Item 77.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00004 Emission Point: 00004
Process: 002 Emission Source: 0000A

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

Item 77.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The #11 boiler (emission Source 0000A) is a "large boiler" as defined under Part 227-2 and fires pulverized coal.

a) During the ozone season, May 1 through September 30, emissions of NO_x from this boiler shall not exceed 0.50 lbs of NO_x per mmBtu during any 24 hour daily averaging period. The stack daily 24 hour average NO_x emission rate shall be recorded and reported quarterly, identifying each time period when the #11 boiler is operated alone.

b) During the non-ozone season, October 1 through

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



April 30, the NOx emissions from this boiler shall not exceed 0.50 lbs of NOx per mmBtu during any 30 day rolling averaging period. The rolling 30 day average NOx emissions from boiler #11 shall be calculated from the 24 hour daily average NOx emission rates when boiler #11 operates alone. The stack rolling 30 day average NOx emission rate shall be recorded and reported quarterly.

2) NOx emissions from the boiler stack shall be monitored continuously by continuous emissions monitoring systems (CEMS). However, boiler #10 (emission source 00007) is a "large boiler" which also emits to the same stack (emission point 00004) prior to the CEMS location, so continuous monitoring of NOx emissions from the # 11 boiler alone may not always be possible. Periodic monitoring for NOx emissions from boiler #11 shall be conducted using the stack CEMS.

3) The facility shall report each exceedance of the 0.50 lbs of NOx per mmBtu limit occurring during each quarter, when boiler #11 is operating alone, if any, and an explanation on what caused the exceedance and what steps have been or will be taken to remedy the exceedance. If the boiler did not operate alone, or did not operate at all state so.

4) The facility has opted to follow the procedures in 40 CFR 75 to demonstrate compliance with 6 NYCRR 227-2. In addition, per 6 NYCRR 227-2.6(b)(5), emission rates to demonstrate compliance with 6 NYCRR 227-2 may be calculated and reported as described in 6 NYCRR 227-2.6(b)(3)(i)(b).

Manufacturer Name/Model Number: TECO 42i
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.50 pounds per million Btus
Reference Test Method: 40 CFR 75 App. A
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 78: Compliance Certification

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60, NSPS Subpart Y

Item 78.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 78.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

1.) 40 CFR Part 60 Subpart Y applies to the following operations: coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems. The 20% opacity limit contained in 40 CFR 60.252(c) applies to any emission points subject to Subpart Y.

2) The permittee shall monitor compliance of all process exhaust vents and openings in the crusher tower, coal truck unloading station, coal silo, coal bunkers, and coal conveyance system, including but not limited to emission point 00008 for opacity by undertaking the following at least once during each day the process is in operation:

a) Observe the visible emissions from each emission point in this emission unit. Each visible emission observation shall be performed at a location with the proper sun angle, background, and line of sight as required by EPA Method 9. The observer must be trained and knowledgeable regarding the effects on the visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor).

b) If any visible emissions are observed the permittee shall:

i) conduct an EPA Method 9 opacity observation for three consecutive 6-minute periods,

ii) conduct an inspection of the process and control device, and

iii) record in a log the date, time, staff name,

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



results of each visible emission/Method 9 observation, inspection findings, and the corrective actions taken. The log shall be made available for Department review upon request.

3) If any of the initial Method 9 6-minute average opacities exceed 20% then corrective actions shall be taken to reduce opacity below 20%. Another three consecutive 6-minute opacity observations shall be conducted after the corrective actions have been made, using EPA Method 9 to confirm opacity remains below 20%.

4.) Each event which exceeds the 20% opacity standard shall be reported as a deviation in the semi-annual report. The details of each deviation shall be included in the semi-annual report and include at least the date, time, initial opacity observations, corrective actions taken, and follow up opacity observations.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR Part 60, Appendix A, Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 79: Capping Monitoring Condition
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7

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:

6NYCRR 231-2.2(a)(4)
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.

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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: U-00020

Regulated Contaminant(s):

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

Item 79.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

1) NOx emissions from this emission unit are limited to 160.0 tons/yr, on a 52-week rolling basis.

2) This cap combined with the 5.0 ton/yr NOx cap on emission unit U-00022 and with the 125.5 ton/yr of NOx ERCs generated by curtailment of the existing boilers in emission unit U-00004 (boilers 10 and 11) (Permit ID 9-0608-00053/00025) results in a net emission increase of NOx for the gas turbine project which is less than the 40 ton/yr significant net emission increase threshold for NOx. Therefore, the gas turbine project will not be subject to the control, emissions offset, or modeling requirements of 6 NYCRR subpart 231-2 (non-attainment) or 40 CFR 52.21 (PSD review).

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



3) Compliance with this limit shall be demonstrated by maintaining records of weekly and rolling 52-week NO_x emissions as measured by the CEMS. Emission calculations will be performed on the same basis as required for 40 CFR 75 and 6 NYCRR subpart 227-3.

4) As part of the periodic compliance report, the responsible official shall provide a certification to the department that the facility has operated the emission unit within the limits imposed by the emission cap. This certification shall include the previous 52 week emissions summarized weekly for each week of the reporting period compared to the emission limit of 160.0 tons.

Manufacturer Name/Model Number: Horiba ENDA-E4320L
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 160.0 tons per year
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL ROLLED WEEKLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 80: Capping Monitoring Condition
Effective between the dates of 04/13/2007 and 04/12/2012

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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: U-00020

Regulated Contaminant(s):

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

Item 80.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

1) PM-10 emissions from this emission unit are limited to 14.0 tons/yr, on a 52-week rolling basis.

2) This cap combined with the 0.8 ton PM-10/yr cap on emission unit U-00022 (auxiliary boiler) resulted in a net emission increase of PM-10 for the gas turbine project that was less than the 15 ton/yr significant net emission increase threshold for PM-10. Therefore, the gas turbine project is not subject to the control or modeling requirements of 40 CFR 52 (PSD review) for this contaminant.

3) Compliance with the cap limit shall be demonstrated based on emission factors developed from once per permit term stack testing at both stacks. Record keeping needs will be based on the outcome of the stack test. The following two options may result from testing:



a) If the maximum hourly emission rate of PM-10 from EU U-00020 (gas turbine) is demonstrated not to exceed 3.2 lb/hr, the maximum PTE for this emission unit will be 14 ton/yr. Following acceptance of the stack test results by the department and with the concurrence of the department, under these circumstances no ongoing record keeping will be required to demonstrate compliance with the PM-10 cap.

b) If the maximum hourly emission rate exceeds 3.2 lb/hr, following acceptance of the stack test results by the department and with the concurrence of the department regarding the emission factor(s) to be used, compliance shall be demonstrated by maintaining records of the amount of fuel fired and corresponding emissions based on the accepted emission factors. Emission calculations shall be conducted weekly. Total emissions for the previous 52-week period shall be computed weekly and both the weekly and 52-week totals shall be logged in a manner acceptable to the department.

c) Background - The initial testing on the simple cycle stack (EP 20) was conducted on 3/14/02 and reported a 5.03 lb PM-10/hour emission rate. The initial testing on the combined cycle stack (EP 21) was conducted on 5/7/02 and reported a 3.54 lb PM-10/hour emission rate. The PTE using these emission rates was greater than 14.0 tpy, so the permittee tracked operation and PM-10 emissions. Work was performed on the stacks, and then the simple cycle stack (EP 20) was retested on 7/23/04 and reported a 3.1 lb PM-10/hour emission rate. The combined cycle stack (EP 21) was retested on 7/21/04 and reported a 1.8 lb PM-10/hour emission rate. The PTE using the retested emission rates is below 14.0 tpy so the permittee was able to suspend ongoing record keeping to show compliance with the cap.

4) As part of the semi-annual compliance report, the responsible official shall provide a certification to the department that the facility has operated the emission unit within the limits imposed by the emission cap. If ongoing record keeping is required above, the certification shall include the previous 52 week emissions summarized weekly for each week of the reporting period compared to the emission limit of 14.0 tons. If ongoing record keeping is not required above, the certification shall explain why.

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Parameter Monitored: PM-10
Upper Permit Limit: 14.0 tons per year
Reference Test Method: EPA Methods 5/201A & 202
Monitoring Frequency: WEEKLY
Averaging Method: ANNUAL TOTAL ROLLED WEEKLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 81: Capping Monitoring Condition
Effective between the dates of 04/13/2007 and 04/12/2012

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:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Emission Unit: U-00020

Regulated Contaminant(s):

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

Item 81.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- 1) Once a permit term an emission test must be conducted to determine the current PM-10 emission factors for this source, so that uncontrolled potential to emit (PTE) of PM-10 can be determined and the appropriate record keeping requirements may be ascertained for the PM-10 emission cap (see record keeping/maintenance procedures monitoring compliance certification activity cited under 6NYCRR Part 201-7, for emission unit U-00020, regulated contaminant PM-10).
- 2) By way of background, the PM-10 emissions from this source are capped at 14.0 tons/52-week period so the gas turbine project would not be subject to the control or modeling requirements of 40 CFR 52 (Prevention of Significant Deterioration (PSD) review) when it was constructed in year 2000.
- 3) A stack test protocol must be submitted not less than 30 days prior to the emission test.
- 4) A test report must be submitted to the department within 60 days following completion of testing.
- 5) Semi-annually report when the last emission test(s) were completed and if the results demonstrated compliance, or when the next emission test will be conducted.

Parameter Monitored: PM-10

Upper Permit Limit: 14.0 tons per year

Reference Test Method: EPA Methods 5/201A & 202

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: ANNUAL TOTAL ROLLED WEEKLY

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 82: Capping Monitoring Condition



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Effective between the dates of 04/13/2007 and 04/12/2012

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 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: U-00020

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 82.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



- 1) CO emissions from this emission unit are limited to 90.0 ton/yr, on a 52-week rolling basis.
- 2) This cap combined with the 8.7 ton/yr cap on emission unit U-00022 (auxiliary boiler) results in a net emission increase of CO for the gas turbine project that is less than the 100 ton/yr significant net emission increase threshold for CO. Therefore the project will not be subject to the control or modeling requirements of 40 CFR 52 (PSD review) for this contaminant.
- 3) To meet the record keeping and monitoring requirements of this condition the owner or operator shall install, certify, calibrate, operate, and maintain, in accordance with all the requirements of 40 CFR 60 Appendices B and F a CO CEMS (consisting of a CO pollutant concentration monitor and an O₂ or CO₂ diluent gas monitor) with an automated data acquisition and handling system for measuring and recording CO concentration (in ppm), O₂ or CO₂ concentration (in percent O₂ or CO₂) and CO emission rate discharged to the atmosphere, on both the simple cycle and combined cycle stacks.
- 4) Compliance with this limit shall be demonstrated by maintaining records of weekly and rolling 52-week CO emissions as measured by the CEMS. CO emissions in lbs/hr shall be determined by multiplying together the CO emission rate in lbs/mmBtu and the hourly heat input rate in mmBtu/hr.
 - (i) Determination of the CO emission rate in lbs/hr shall be performed in a manner acceptable to the department,
 - (ii) Determination of the heat input rate shall be identical to that used for the NO_x emission rate calculations under 40 CFR 75.
- 5) As part of the periodic compliance report, the responsible official shall provide a certification to the department that the facility has operated the emission unit within the limits imposed by the emission cap. This certification shall include the previous 52-week emissions summed for each week in the reporting period, and comparing them to the 90.0 ton per year emission limit.

Manufacturer Name/Model Number: Horiba ENDA-E4320L



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 90.0 tons per year
Reference Test Method: 40 CFR Part 60 Appendices B, PS 4
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL ROLLED WEEKLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 83: Documents the Use of ERCs for EU U-00020, the Gas Turbine Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 231-2.4(a)(1)

Item 83.1:

This Condition applies to Emission Unit: U-00020

Item 83.2:

1) This condition documents the applicant's use of emission reduction credits for emission unit U-00020, the gas turbine. As required, the applicant will maintain records of NOx emissions from EU U-00004 to verify that the curtailment which generated the ERCs is being maintained.

2) Gas Turbine project description: the existing electric power plant (4 coal boilers) added a GE LM6000 gas turbine generator system, with a nominal capacity of 43 MW. The gas turbine exhausts directly to an exhaust stack (simple cycle) or to a heat recovery steam generator (HRSG)(combined cycle). The HRSG has a duct burner providing supplemental heat, up to 144 mmBtu/hr. NOx emissions from the turbine are controlled by water injection.

3) NOx actual emissions from EU U-00020 are limited to 160 ton/yr. NOx actual emissions from EU U-00022, which are also part of the gas turbine project, are limited to 5 ton/yr. The NOx ERCs (125.5 tons) used for the gas turbine project as part of a net emission increase determination of non-applicability of 6 NYCRR subpart 231-2 were created by accepting a NOx emission limit of 145 ton/yr at EU U-00004 (DEC application Id No. 9-0608-00053/00025).

4) Contaminant Emission Increase Data:

CAS No. of the Nonattainment Contaminant for which ERCs are being used as Offsets: 0NY210-00-0.

Contaminant Name: Oxides of Nitrogen.

Project Emission Potential (PEP): 320,000 lbs/yr from EU-00020.

5) Statement of Compliance: As required by 6 NYCRR part 231-2.4(a)(2)(i), the applicant has checked the box under this section of the application indicating that the compliance statement has been read and that the applicant is in agreement with the provisions regarding compliance. The statement of compliance is stated in the application as follows: "All facilities under the ownership of this "ownership/firm" are operating in compliance with all applicable requirements and state regulations including any compliance certification requirements under section 114(a)(3) of the Clean Air Act Amendments of 1990, or are meeting the schedule of a consent order."



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

6) Source of Emission Reduction Credit - facility:

Name: Samuel A. Carlson Generating Station

Address: 136 Steele Street, City of Jamestown, NY 14701-6438

Application Id: 9-0608-00053/00025

Emission Unit Number: U-00004

CAS No. of the Nonattainment Contaminant for which ERCs are being Created: 0NY210-00-0

Contaminant Name: Oxides of Nitrogen

ERC Netting: 251,000 lbs/yr

Condition 84: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.332(a)(1), NSPS Subpart GG

Item 84.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00020

Regulated Contaminant(s):

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

Item 84.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1) For both combined cycle and simple cycle operations of the gas turbine, the NO_x emission standard is 115 part per million by volume at 15% oxygen on a dry basis with a 4-hour rolling average. [40 CFR 60.332(a)(1), 60.334(j)(1)(iii)(A)]
- 2) The above limit was calculated using the equation $[0.0075(14.4/Y)+F]$ from 40 CFR 60.332(a)(1), where Y is the manufactures rated heat rate at manufactures rated load (full load) - 9.4 kilojoules per watt-hr, as provided by the permittee. No allowance for the nitrogen content of the natural gas was taken by the permittee, therefore the fuel bound nitrogen, F, is considered to be zero (0).
- 3.) As an alternative to monitoring water injection to fuel ratios, the permittee choose to install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NO_x and O₂



monitors. [40 CFR 60.334(b)]

a.) The CEMS must be installed and certified according to Performance Specifications 2 and 3 (for diluent) of 40 CFR part 60, appendix B. [40 CFR 60.334(b)(1)]

b.) The CEMS must operate as specified in 40 CFR 60.13(e)(2). [40 CFR 60.334(b)(2)]

c.) The permittee has installed a NO_x CEMS to meet the requirements of 40 CFR Part 75 (Acid Rain Program). The Part 75 CEMS may be used to meet the CEMS requirements of 40 CFR Part 60 subpart GG, except that the missing data substitution methodology provided for in 40 CFR part 75, subpart D, is not required for purposes of identifying excess emissions. Instead, periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in §60.7(c). [40 CFR 60.334(b)(3)(iii)]

4. For purposes of identifying excess emissions, CEMS data must be reduced to hourly averages as specified in §60.13(h). For each unit operating hour in which a valid hourly average is obtained for both NO_x and diluent, the data acquisition and handling system must calculate and record the hourly NO_x emissions in the units of the applicable NO_x emission standard under §60.332(a), i.e., percent NO_x by volume, dry basis, corrected to 15 percent O₂ and International Organization for Standardization (ISO) standard conditions (if required as given in §60.335(b)(1)). For any hour in which the hourly average O₂ concentration exceeds 19.0 percent O₂, a diluent cap value of 19.0 percent O₂ may be used in the emission calculations. [40 CFR 60.334(b)(3), 60.334(b)(3)(i)]

5. Excess emissions during all times of operation, including startup, shutdown, and malfunction, along with monitor downtime shall be reported semi-annually in accordance with 40 CFR 60.7(c). Each report shall include the ambient conditions (temperature, pressure, and humidity) at the time of the excess emission period and (if the owner or operator has claimed an emission allowance for fuel bound nitrogen) the nitrogen content of the fuel during the period of excess emissions. The permittee does not have to report ambient conditions if the permittee opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if the permittee is not using the ISO correction equation under the provisions of §60.335(b)(1). [40 CFR 60.334(j)(5),

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



60.334(j)(1)(iii)(C)]

Manufacturer Name/Model Number: HORIBA ENDA E4320L

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 115 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 4-HOUR ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 85: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.332(f), NSPS Subpart GG

Item 85.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00020

Item 85.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- 1) Stationary gas turbines using water or steam injection for control of NO_x emissions are exempt from the NO_x emission limit in section 60.332(a) when ice fog is deemed a traffic hazard by the owner or operator of the turbine.
- 2) A quarterly written report that includes a record of each period during which this exemption was invoked shall be submitted to the Administrator [60.334(c)(3)], reporting the following:
 - a) the ambient conditions existing during the period when the exemption was invoked,
 - b) the date and time the air pollution control system was deactivated, and
 - c) the date and time the air pollution control system was reactivated.
- 3) If this exemption was not invoked during the quarter



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

state so in the report.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 86: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.44b(l)(1), NSPS Subpart Db

Item 86.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00020
Process: DB1

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

Item 86.2:

Compliance Certification shall include the following monitoring:

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

Determine compliance on a 30-day rolling average, calculated each steam unit operating day as the average of all hourly NOx emissions for the preceding 30 steam generating days, by using continuous emission monitoring systems. The sampling site shall be located at the outlet from the steam generating unit. The NOx emissions rate at the outlet from the steam generating unit shall constitute the NOx emissions rate from the duct burner of the combined cycle system. [40 CFR 60.46b(f)(2)]

Manufacturer Name/Model Number: Horiba ENDA-E4320L CLA
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.20 pounds per million Btus
Reference Test Method: 40CFR60 Appendix B, PS 2
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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

Condition 87: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 87.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00020

Process: DB1

Item 87.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for each calendar quarter. 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.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 88: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 88.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00020

Process: GT1

Regulated Contaminant(s):

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Item 88.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1) The NO_x limit when operating in COMBINED CYCLE mode is 42 ppm, corrected to 15 percent oxygen (process GT1, emission point 00021), with or without the duct burner firing.
- 2) The owner/operator of a combined cycle combustion turbine with a maximum heat input rate greater than 250 mmBtu/hr must utilize CEMS to demonstrate compliance with the NO_x limit, per under 6NYCRR 227-2.6(a)(5).
- 3) The owner/operator has opted to follow the CEMS procedures of 40CFR part 75, per 6NYCRR 227-2.6(b)(5). All of the requirements of part 75 apply. The owner/operator must demonstrate compliance with the emission limit of 6NYCRR 227-2.4(e)(2)(i) by calculating and reporting NO_x emission rates as 24-hour daily heat input weighted averages as described in 6NYCRR 227-2.6(b)(3)(i)(b).
- 4) The facility must also comply with the less stringent NO_x limit of 40CFR60 subpart GG, as determined by methods specified in subpart GG.

Manufacturer Name/Model Number: Horiba ENDA-E4320L CLA

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 42 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY BLOCK (ARITHMETIC AVERAGE)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 89: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(e)(1)(i)

Item 89.1:



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

The Compliance Certification activity will be performed for:

Emission Unit: U-00020

Process: GT2

Regulated Contaminant(s):

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

Item 89.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

1) The NOx limit when operating in SIMPLE CYCLE mode is 50 ppm, corrected to 15 percent oxygen (process GT2, emission point 00020).

2) The owner/operator has opted to utilize CEMS to demonstrate compliance with the NOx limit as allowed under 6NYCRR 227-2.4(e).

3) The owner/operator has opted to follow the CEMS procedures of 40CFR part 75, per 6NYCRR 227-2.6(b)(5). All of the requirements of part 75 apply. The the owner/operator must demonstrate compliance with the emission limit of 6NYCRR 227-2.4(e)(1)(i) by calculating and reporting NOx emission rates as 24-hour daily heat input weighted averages as described in 6NYCRR 227-2.6(b)(3)(i)(b).

4) The facility must also comply with the less stringent NOx limit of 40CFR60 subpart GG as determined by methods specified in subpart GG.

Manufacturer Name/Model Number: Horiba ENDA-E4320L CLA

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 50 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: 40CFR75 APP.

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY BLOCK (ARITHMETIC AVERAGE)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Condition 90: Capping Monitoring Condition

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 90.1:

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:

6NYCRR 231-2.2(a)(4)
40CFR 52-A.21

Item 90.2:

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

Item 90.3:

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 90.4:

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 90.5:

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 90.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00022

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

Item 90.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

Monitoring Description:

- 1) NOx emissions from this emission unit are limited to 5.0 ton/yr, on a 52-week rolling basis.

- 2) This cap combined with the 160.0 ton/yr cap on emission unit U-00020 (gas turbine) and with the 125.5 ton/yr of NOx ERCs generated by curtailment of the existing boilers in emission unit U-00004 (boilers 10 and 11) (DEC Permit ID 9-0608-00053/00025) results in a net emission increase of NOx for the turbine project that is less than the 40 ton/yr significant net emission increase threshold for NOx. Therefore, the gas turbine project will not be subject to the control, emissions offset, or modeling requirements of 6 NYCRR subpart 231-2 (Non-Attainment) or 40 CFR 52 (PSD Review).

- 3) Compliance with this limit shall be demonstrated by maintaining records of the amount of fuel fired and calculating the actual emissions. To calculate the actual emissions multiply the NOx emission factor provided by the boiler manufacture, 0.024 lb NOx per mmBtu, by the amount of fuel fired in mmBtu's.

- 4) As part of the periodic compliance report, the responsible official shall provide a certification to the department that the facility has operated the emission unit within the limits imposed by the emission cap. This certification shall include the previous 52 week emissions summarized weekly for each week of the reporting period compared to the emission limit of 5.0 tons.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 5.0 tons per year

Monitoring Frequency: WEEKLY

Averaging Method: ANNUAL TOTAL ROLLED WEEKLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 91: Capping Monitoring Condition
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Item 91.1:

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 91.2:

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

Item 91.3:

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 91.4:

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 91.5:

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 91.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00022

Regulated Contaminant(s):

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

Item 91.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

- 1) PM-10 emissions from this emission unit are limited to 0.8 ton/yr, on a 52-week rolling basis.

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



2) This cap combined with the 14.0 ton/yr cap on emission unit U-00020 (gas turbine) results in a net emission increase of PM-10 for the gas turbine project that is less than the 15 ton/yr significant net emission increase threshold for PM-10. Therefore, the gas turbine project will not be subject to the control or modeling requirements of 40 CFR 52 (PSD review) for this contaminant.

3) Compliance with this limit shall be demonstrated by maintaining records of the amount of fuel fired and calculating the actual emissions. To calculate the actual emissions multiply the PM-10 emission factor provided by the boiler manufacture, 0.01 lb PM-10 per mmBtu, by the amount of fuel fired in mmBtu's.

4) As part of the periodic compliance report, the responsible official shall provide a certification to the department that the facility has operated the emission unit within the limits imposed by the emission cap. This certification shall include the previous 52 week emissions summarized weekly for each week of the reporting period compared to the emission limit of 0.8 tons.

Parameter Monitored: PM-10

Upper Permit Limit: 0.8 tons per year

Monitoring Frequency: WEEKLY

Averaging Method: ANNUAL TOTAL ROLLED WEEKLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 92: Capping Monitoring Condition

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 92.1:

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 92.2:

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



conditions and standards in this permit.

Item 92.3:

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 92.4:

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 92.5:

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 92.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00022

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 92.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

- 1) CO emissions from this emission unit are limited to 8.7 ton/yr, on a 52-week rolling basis.
- 2) This cap combined with the 90.0 ton/yr cap on emission unit U-00020 (gas turbine) results in a net emission increase of CO for the gas turbine project that is less than the 100 ton/yr significant net emission increase threshold for CO. Therefore the project will not be subject to the control or modeling requirements of 40 CFR 52 (PSD review) for this contaminant.
- 3) Compliance with this limit shall be demonstrated by



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

maintaining records of the amount of fuel fired and calculating the actual emissions. To calculate the actual emissions multiply the CO emission factor provided by the boiler manufacture, 0.150 lb CO per mmBtu, by the amount of fuel fired in mmBtu's.

4) As part of the periodic compliance report, the responsible official shall provide a certification to the department that the facility has operated the emission unit within the limits imposed by the emission cap. This certification shall include the previous 52 week emissions summarized weekly for each week of the reporting period compared to the emission limit of 0.8 tons.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 8.7 tons per year
Monitoring Frequency: WEEKLY
Averaging Method: ANNUAL TOTAL ROLLED WEEKLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 93: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 93.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00022

Item 93.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1) Any owner or operator of a small boiler shall perform a tune-up, as defined in section 227-2.2(b)(19) annually.

2) The owner or operator shall maintain in a permanently bound log book, or other format approved in writing by the department, the following information:

a) the date on which the combustion process was last adjusted,

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



- b) the name title and affiliation of the person who made the adjustments, and
- c) any other information which the department may require.

3) As part of the semi-annual compliance report, the responsible official shall report the date of the last boiler tune-up.

Monitoring Frequency: ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 94: Compliance Certification
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 94.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00022

Item 94.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 95: Capping Monitoring Condition
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 95.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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 60-GG.332

Item 95.2:

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

Item 95.3:

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 95.4:

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 95.5:

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 95.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00023

Regulated Contaminant(s):

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

Item 95.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

1.) Operation of the emergency backup combustion gas turbine is limited to 500 hours per year on a 12-month rolling basis.

2.) A hour meter shall be used to monitor operation of



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

the turbine. Monthly, the turbine hour meter reading will be recorded in a log and the 12-month total hours of operation calculated and recorded.

3.) Report the 12-month total hours of operation for each month of the reporting period on an annual basis.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 500 hours per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 96: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(e)(1)(ii)

Item 96.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00023

Regulated Contaminant(s):

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

Item 96.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.) NO_x emissions from the emergency turbine are limited to 100 parts per million on a dry volume basis (ppmvd), corrected to 15 percent oxygen.

2) The permittee will comply with the above limit by maintaining good combustion practices in accordance with the manufacturer's recommendations.

3.) A compliance emission test shall be conducted within 60 days of achieving the maximum production rate of the turbine, but not later than 180 days after initial startup. A testing protocol shall be submitted at least 30 days before testing is planned, and a testing report

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



shall be submitted within 60 days of testing.

Upper Permit Limit: 100 parts per million by volume

(dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 60, Appendix A, Method 20

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 97: Compliance Certification

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable Federal Requirement: 40CFR 60.333(b), NSPS Subpart GG

Item 97.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00023

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 97.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- 1.) No owner or operator of a stationary combustion gas turbine shall burn any fuel which contains sulfur in excess of 0.8% by weight (8000 ppmw).
- 2.) Records of each oil delivery shall be kept for at least five years and contain the delivery date, quantity of fuel received and sulfur content of the oil. The total sulfur analysis shall be conducted using one of the ASTM methods listed in 40 CFR 60.335(10)(i).
- 3.) The highest sulfur content from any batch of oil delivered during a compliance reporting period shall be reported in the compliance report. If no oil was delivered during the compliance reporting period that shall be stated.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Upper Permit Limit: 0.8 percent by weight
Reference Test Method: see 40CFR60.335(10)(i) for the ASTM methods
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 7/30/2007.
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 98: Contaminant List
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable State Requirement: ECL 19-0301

Item 98.1:

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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

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

Condition 99: Unavoidable noncompliance and violations
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 201-1.4

Item 99.1:

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

Condition 100: Air pollution prohibited
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 211.2

Item 100.1:

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 101: Compliance Demonstration
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 211.2

Item 101.1:

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

Emission Unit: U-00005

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Item 101.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The ash silo's and the roadways are subject to the nuisance requirements under 6NYCRR Part 211.2 for fugitive emissions. The fugitive emissions from ash handling must not contribute to a public nuisance or re-entrainment problem. The facility shall control fugitive emissions as follows:

1) The ash silo's are vented through baghouses. Ash is removed from the silo's by emptying into dump trucks.

a) To load a dump truck the ash is mixed with water to ball it up. The discharge chute also extends down into the dump box. All dump trucks must be covered before they leave the site. These procedures must be used when filling every dump truck to minimize re-entrainment.

b) All roadways must be washed down to minimize dust emissions as necessary.

2) The permittee must certify semiannually that the fugitive dust preventative measures described above have been implemented as necessary during the reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 102: Compliance Demonstration

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 102.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Emission Unit: U-00004

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 102.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1) The annual average sulfur content of coal being used shall not exceed 1.7 pounds per million Btu. This limit shall be monitored by the use of a continuous emission monitoring system (CEMS) which measures sulfur dioxide emissions. The CEMS shall be installed and operated to meet the requirements of 40 CFR Part 75 Appendix A and shall meet the quality assurance and quality control requirements of 40 CFR Part 75 Appendix B.
- 2) The equivalent annual average sulfur dioxide emission limit is 3.4 pounds per million Btu.
- 3) The annual average sulfur emission rate shall be reported for each month of a compliance reporting period.

Manufacturer Name/Model Number: TECO 43i

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.7 pounds per million Btus

Reference Test Method: 40 CFR 75 App A

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 103: Compliance Demonstration

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 103.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Emission Unit: U-00004

Emission Unit: U-00023

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 103.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- 1) No person shall sell, offer for sale, purchase or use any distillate oil fuel which contains more than 1.50 percent sulfur by weight (15,000 ppm sulfur).
- 2) Records of each oil delivery shall be kept for at least five years and contain the delivery date, quantity of fuel received, sulfur content, specific gravity, and heating value of the oil (6 NYCRR 225-1.8).
- 3) The highest sulfur content from any batch of oil delivered during a compliance reporting period shall be reported in the compliance report. If no oil was delivered state so.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.50 percent by weight

Reference Test Method: ASTM D 4294

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 7/30/2007.

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

Condition 104: Continuous Opacity Monitor Required
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 227-1.4(a)



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Item 104.1:

This Condition applies to:

Emission Unit: U00003 Emission Point: 00003

Emission Unit: U00004 Emission Point: 00004

Item 104.2: Any person who owns a stationary combustion installation (excluding gas turbines), with a total maximum heat input capacity exceeding 250 million Btu per hour shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity, and when sulfur dioxide continuous monitoring is required by Part 225 of this Title, for continuously monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.

Condition 105: Compliance Demonstration

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 105.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00020

Item 105.2:

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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 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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 106: Recordkeeping and Reporting Requirements
Effective between the dates of 04/13/2007 and 04/12/2012**

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

Item 106.1:

This Condition applies to:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Emission Unit: U00020

Item 106.2:

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 107: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
Effective between the dates of 04/13/2007 and 04/12/2012**

Applicable State Requirement: 6NYCRR 237-2

Item 107.1:

This Condition applies to:

Emission Unit: U00020

Item 107.2: 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.



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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.

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."

Condition 108: Compliance Demonstration

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 237-4.1

Item 108.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 108.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more 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 by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NOx authorized account representative shall include in

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



the compliance certification report the following elements, in a format prescribed by the department, 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) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), 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 NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NOx 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 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 Acid Deposition Reduction (ADR) 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 ADR NOx Budget Trading Program applicable to the unit, including:

- (a) whether the unit was operated in compliance with the NOx budget emissions limitation;
- (b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEPTEMBER 30

Condition 109: Submission of NO_x allowance transfers

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 237-7.1

Item 109.1:

This Condition applies to:

Emission Unit: U00020

Item 109.2:

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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 110: Compliance Demonstration
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 237-8

Item 110.1:

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

Emission Unit: U-00020

Item 110.2:

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 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:



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEPTEMBER 30

Condition 111: Compliance Demonstration

Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 111.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00020

Item 111.2:

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 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.

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 112: Record keeping and Reporting Requirements
Effective between the dates of 04/13/2007 and 04/12/2012

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

Item 112.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Emission Unit: U00020

Item 112.2:

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 113: Submissions to the Department

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 238-2.1

Item 113.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

Item 113.2:

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



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

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."

Condition 114: Compliance Demonstration
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 238-4.1

Item 114.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00020

Item 114.2:

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 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 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 115: Submission of SO₂ allowance transfers
Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 238-7.1

Item 115.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020



New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053

Item 115.2:

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 116: Monitoring and Reporting requirements

Effective between the dates of 04/13/2007 and 04/12/2012

Applicable State Requirement: 6NYCRR 238-8

Item 116.1:

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

Item 116.2: 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 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.