



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 9-0608-00053/00019  
Mod 0 Effective Date: 04/13/2007 Expiration Date: 04/12/2012  
Mod 1 Effective Date: 02/11/2008 Expiration Date: No expiration date.  
Mod 2 Effective Date: 10/14/2009 Expiration Date: 04/12/2012

Permit Issued To: JAMESTOWN BOARD OF PUBLIC UTILITIES  
92 STEELE ST  
PO BOX 700  
JAMESTOWN, NY 14701-0700

Contact: STEVEN DINEEN  
JAMESTOWN BOARD OF PUBLIC UTILITIES  
92 STEELE ST PO BOX 700  
JAMESTOWN, NY 14702-0700  
(716) 661-1698

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

Contact: STEVEN DINEEN  
JAMESTOWN BOARD OF PUBLIC UTILITIES  
92 STEELE ST PO BOX 700  
JAMESTOWN, NY 14702-0700  
(716) 661-1698

Description:  
Jamestown Board of Public Utilities Samuel A. Carlson Generating Station  
Title V Air Permit - Renewal 1, Modification 2

This permit modification was initiated so the permittee could add pollution control devices/technology to reduce mercury emissions. While the permit was open new applicable regulations were added and the excess opacity consent order requirements were removed.

The permittee plans to install a powder activated carbon (PAC) injection system and CONSOL's Low Temperature Mercury Capture Process on the exhaust duct work of boiler #12 to reduce mercury emissions. No mercury controls are planned for boiler #9 or #10. The permittee is pursuing this work to comply with the state mercury limit which becomes effective January 2010.



The permittee entered into a consent order for excess opacity in July 2001. The excess opacity had decreased so the order was closed out, effective September 30, 2008. The relevant permit conditions have been removed from this permit.

Since the renewed Title V permit was issued in April 2007 the following regulations have become effective and applicable to the permittee. Permit conditions were added to this permit for 6NYCRR 242 (CO2 Budget Trading Program), 6NYCRR 243 (CAIR NOx Ozone Season Trading Program), 6NYCRR 244 (CAIR NOx Annual Trading Program), 6NYCRR 245 (CAIR SO2 Trading Program), and 6NYCRR 246 (Mercury Reduction Program for Coal-fired Electric Utility Steam Generating Units).

Title V Air Permit - Renewal 1, Modification 1: This application was submitted to add the Clean Air Interstate Rules (CAIR) for nitrogen oxide and sulfur dioxide to the permit. The applicable requirements were incorporated into Modification 2 so no Modification 1 permit was issued.

Title V Air Permit - Renewal 1, Modification 0: This permit was the first renewal of the Title V Air Permit and was issued on April 13, 2007.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:            DOUGLAS E BORSCHEL  
   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 compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

- Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
- Submission of application 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: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



submitted prior to actual transfer of ownership.

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

**Item 5.1:**

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

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

**Condition 2-1: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 2-1.1:**

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

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



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: 6 NYCRR 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;
- 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: 6 NYCRR 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 2-2: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 2-2.1:**

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 14203-2915  
(716) 851-7165



**Condition 8: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 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



**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 14701-0700

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

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

Mod 0 Permit Effective Date: 04/13/2007

Permit Expiration Date: 04/12/2012

Mod 2 Permit Effective Date: 10/14/2009

Permit Expiration Date: 04/12/2012



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 22 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 14 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 15 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 16 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 17 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 19 6 NYCRR 211.3: Visible Emissions Limited
- 20 40 CFR Part 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR 201-3.2 (b): Exempt Activities - Maintenance of Control Equipment
- 24 6 NYCRR 201-3.3 (b): Trivial Activities - Maintenance of Control Equipment
- 25 6 NYCRR Subpart 201-6: Emission Unit Definition
- 26 6 NYCRR 202-1.2: Notification
- 27 6 NYCRR 202-1.3: Acceptable procedures
- 28 6 NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 29 6 NYCRR 202-1.3: Alternate test methods
- 30 6 NYCRR 202-1.4: Separate emission test by the commissioner
- 31 6 NYCRR 202-1.5: Prohibitions
- 32 6 NYCRR 204-1.6: Compliance Certification
- 33 6 NYCRR 204-2.1: Submissions to the Department.
- 34 6 NYCRR 204-4.1: Compliance Certification
- 35 6 NYCRR 204-7.1: Submission of NOx allowance transfers.
- 36 6 NYCRR 204-8.1: Reference to 40CFR and list of requirements.
- 37 6 NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 38 6 NYCRR 204-8.3: Out of control periods.
- 39 6 NYCRR 204-8.4: Compliance Certification
- 40 6 NYCRR 204-8.5: Compliance Certification



- 41 6 NYCRR 204-8.7: Compliance Certification
- 42 6 NYCRR 212.6 (a): Compliance Certification
- 43 6 NYCRR 225-1.2 (a) (2): Compliance Certification
- 44 6 NYCRR 225-1.2 (a) (2): Compliance Certification
- 45 6 NYCRR 225-1.2 (c): Compliance Certification
- 46 6 NYCRR 227-1.2 (a) (1): Compliance Certification
- 2-1 6 NYCRR 227-1.3 (a): Compliance Certification
- 48 6 NYCRR 227-1.3 (a): Compliance Certification
- 51 6 NYCRR 227-1.4 (b): Compliance Certification
- 2-2 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
- 2-3 6 NYCRR 243-1.6 (d): Excess emission requirements
- 2-4 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
- 2-5 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR  
designated representative
- 2-6 6 NYCRR 243-8.1: General requirements
- 2-7 6 NYCRR 243-8.1: Prohibitions
- 2-8 6 NYCRR 243-8.3: Out of control periods
- 2-9 6 NYCRR 243-8.5 (d): Quarterly reports
- 2-10 6 NYCRR 243-8.5 (e): Compliance certification
- 2-11 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General  
Conditions
- 2-12 6 NYCRR Subpart 244-2: Designated CAIR Representative
- 2-13 6 NYCRR Subpart 244-8: Compliance Certification
- 2-14 6 NYCRR Subpart 245-1: CAIR General and Permit Requirments
- 2-15 6 NYCRR Subpart 245-2: Designated CAIR Representative
- 2-16 6 NYCRR Subpart 245-8: 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 40 CFR Part 64: Compliance Certification
- 63 40 CFR 64.8: Elements of a Quality Improvement Plan
- 64 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations  
and Permitting

**EU=U-00003**

- 2-17 6 NYCRR 231-11.2 (b): Compliance Certification

**EU=U-00003,EP=00003**

- 68 40 CFR Part 64: Compliance Certification



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

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

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

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

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

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

**EU=U-00004**

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

\*73 6 NYCRR Subpart 201-7: Capping Monitoring Condition

**EU=U-00004,EP=00004**

74 40 CFR Part 64: Compliance Certification

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

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

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

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

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

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

**EU=U-00008**

78 40CFR 60, NSPS Subpart Y: Compliance Certification

**EU=U-00020**

\*79 6 NYCRR Subpart 201-7: Capping Monitoring Condition

\*80 6 NYCRR Subpart 201-7: Capping Monitoring Condition

\*81 6 NYCRR Subpart 201-7: Capping Monitoring Condition

\*82 6 NYCRR Subpart 201-7: Capping Monitoring Condition

83 6 NYCRR 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 6 NYCRR 227-2.4 (e) (2) (i): Compliance Certification

**EU=U-00020,Proc=GT2**

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

**EU=U-00022**

\*90 6 NYCRR Subpart 201-7: Capping Monitoring Condition



- \*91 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*92 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 93 6 NYCRR 227-2.4 (d): Compliance Certification
- 94 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification

**EU=U-00023**

- \*95 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 96 6 NYCRR 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
- 2-18 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 99 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 2-19 6 NYCRR 211.2: Air pollution prohibited
- 100 6 NYCRR 211.2: Air pollution prohibited
- 101 6 NYCRR 211.2: Compliance Demonstration
- 102 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration
- 103 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration
- 104 6 NYCRR 227-1.4 (a): Continuous Opacity Monitor Required
- 105 6 NYCRR 237-1.6 (c): Compliance Demonstration
- 106 6 NYCRR 237-1.6 (e): Recordkeeping and Reporting Requirements
- 107 6 NYCRR Subpart 237-2: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
- 108 6 NYCRR 237-4.1: Compliance Demonstration
- 109 6 NYCRR 237-7.1: Submission of NOx allowance transfers
- 110 6 NYCRR Subpart 237-8: Compliance Demonstration
- 111 6 NYCRR 238-1.6 (c): Compliance Demonstration
- 112 6 NYCRR 238-1.6 (e): Record keeping and Reporting Requirements
- 113 6 NYCRR 238-2.1: Submissions to the Department
- 114 6 NYCRR 238-4.1: Compliance Demonstration
- 115 6 NYCRR 238-7.1: Submission of SO2 allowance transfers
- 116 6 NYCRR Subpart 238-8: Monitoring and Reporting requirements
- 2-20 6 NYCRR 242-1.5: Compliance Demonstration
- 2-21 6 NYCRR Subpart 242-4: Compliance Demonstration
- 2-22 6 NYCRR 242-8.5: Compliance Demonstration
- 2-23 6 NYCRR 246.5 (b): Compliance Demonstration
- 2-24 6 NYCRR 246.7 (b) (1): Requirements for Installation, Certification and Data Accounting
- 2-25 6 NYCRR 246.8 (c) (1): Certification Procedures for Sorbent Trap Monitoring Systems
- 2-26 6 NYCRR 246.8 (c) (2): Recertification Procedures for Sorbent Trap Monitoring System
- 2-27 6 NYCRR 246.8 (c) (3): Compliance Demonstration
- 2-28 6 NYCRR 246.9 (a): Missing Data Procedures and Out of Control Periods for CEMs
- 2-29 6 NYCRR 246.11 (a): Compliance Demonstration
- 2-30 6 NYCRR 246.11 (b): Compliance Demonstration
- 2-31 6 NYCRR 246.11 (c): Compliance Demonstration
- 2-32 6 NYCRR 246.11 (d): Compliance Demonstration



2-33 6 NYCRR 246.11 (e): Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



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

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

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)**

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Item D: Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)**

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)**

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)**

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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

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



**Item I: Severability - 6 NYCRR 201-6.5 (a) (9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR 201-6.5 (g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR 201-6.5 (i)**

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is



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

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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

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



(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**

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

**Condition 2: Fees**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

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

**Item 2.1:**

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

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

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

**Item 3.1:**



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

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

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

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

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

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

**Item 4.1:**

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

**Condition 5: Compliance Certification**

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

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum



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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A



written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 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: 6 NYCRR 201-6.5 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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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  
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:6 NYCRR 202-2.1**

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

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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



**Condition 8: Recordkeeping requirements**  
Effective between the dates of 04/13/2007 and 04/12/2012

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

**Item 8.1:**

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

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

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites**  
Effective between the dates of 04/13/2007 and 04/12/2012

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

**Item 9.1:**

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

**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:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage**  
Effective between the dates of 04/13/2007 and 04/12/2012



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

**Item 11.1:**

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

**Condition 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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**



**Applicable Federal Requirement:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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 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:40 CFR Part 68**

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**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**

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

**Item 25.1(From Mod 2):**

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), emission source/control 00PAC (the powdered activated carbon system that serves boiler #12), emission source/control 00WTR (the Consol water spray system that serves boiler #12), and emission source/control 00006 (the electrostatic precipitator that serves boiler #12).

Building(s): SA CARLSON

**Item 25.2(From Mod 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 NO<sub>x</sub> burners to comply with the emission requirements of NO<sub>x</sub> 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(From Mod 2):**

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 NO<sub>x</sub> or VOC and it did not trigger PSD review for any applicable pollutant.

Building(s): SA CARLSON

**Item 25.4(From Mod 0):**

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 25.5(From Mod 0):**

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 25.6(From Mod 0):**

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 25.7(From Mod 0):**

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 25.8(From Mod 0):**

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

Emission Unit: U-00022

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(From Mod 0):**

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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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:6 NYCRR 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

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 NO<sub>x</sub> 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 NO<sub>x</sub> allowance was allocated.

#### EXCESS EMISSIONS REQUIREMENTS

The owners and operators of a NO<sub>x</sub> Budget unit that has excess emissions in any control period shall:

(1) Forfeit the NO<sub>x</sub> 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 NO<sub>x</sub> Budget source and each NO<sub>x</sub> 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 NO<sub>x</sub> authorized account representative for the source and each NO<sub>x</sub> 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 NO<sub>x</sub> 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 NO<sub>x</sub> Budget Trading Program.

(iv) Copies of all documents used to complete a NO<sub>x</sub> Budget permit application and any other submission under the NO<sub>x</sub> Budget Trading Program or to demonstrate compliance with the requirements of the NO<sub>x</sub> Budget Trading Program.

(2) The NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> Budget source and each NO<sub>x</sub> Budget unit at the source shall submit the reports and compliance certifications required under the NO<sub>x</sub> Budget Trading Program, including those under Subparts 204-4 or 204-8.

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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:6 NYCRR 204-2.1**

**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:6 NYCRR 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 NO<sub>x</sub> 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 NO<sub>x</sub> Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NO<sub>x</sub> Budget unit;
- (2) At the NO<sub>x</sub> authorized account representative's option, the serial numbers of the NO<sub>x</sub> 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 NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> Budget units at the source in compliance with the NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> 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 NO<sub>x</sub> 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 NO<sub>x</sub> 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 NO<sub>x</sub> emissions to the unit, in accordance with Subpart 204-8 of this Part;
- (3) whether all the NO<sub>x</sub> 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 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:6 NYCRR 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:6 NYCRR 204-8.1**

**Item 36.1:**

This Condition applies to:

Emission Unit: U00003

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: 6 NYCRR 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 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:6 NYCRR 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:6 NYCRR 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 NOx Budget unit shall submit written notice to the Department and the USEPA Administrator in accordance with the requirements of this subpart as follows:

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

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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

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:6 NYCRR 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 NOx 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 NOx 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 NOx budget unit (or group of units using a common stack).

Compliance certification

The NOx 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 NOx 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 NOx emissions; and

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(iii) for a unit that is reporting on a control period basis under this subdivision the NOx emission rate and NOx 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 NOx emissions.

The NOx 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:6 NYCRR 204-8.7**

**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: 6 NYCRR 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.

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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 43: Compliance Certification**

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

**Applicable Federal Requirement: 6 NYCRR 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

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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 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: 6 NYCRR 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

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Appendix A and shall meet the quality assurance and quality control requirements of 40 CFR Part 75 Appendix B.

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: 6 NYCRR 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 Plan.

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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: 6 NYCRR 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 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 2-1: Compliance Certification**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

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

**Replaces Condition(s) 49**

**Item 2-1.1:**

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 2-1.2:**

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.

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2.) Each opacity 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  
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 3/1/2010.  
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: 6 NYCRR 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-00020	Emission Point: 00020
Emission Unit: U-00020	Emission Point: 00021
Emission Unit: U-00022	Emission Point: 00022
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  
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 51: Compliance Certification**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

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

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**Item 51.1:**

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 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 2-2: NOx Ozone Season Emission Requirements**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

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

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**Item 2-2.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-2.2:**

As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NO<sub>x</sub> ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

A CAIR NO<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.

CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

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

A CAIR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

**Condition 2-3: Excess emission requirements**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

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



**Item 2-3.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-3.2:**

If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

(1) the owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

(2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

**Condition 2-4: Recordkeeping and reporting requirements  
Effective between the dates of 10/14/2009 and 04/12/2012**

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

**Item 2-4.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-4.2:**

Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year



period shall apply.

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

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

**Condition 2-5: Authorization and responsibilities of CAIR designated representative**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement:6 NYCRR 243-2.1**

**Item 2-5.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-5.2:**

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

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

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

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



Each submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO<sub>x</sub> Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 2-6: General requirements**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement: 6 NYCRR 243-8.1**

**Item 2-6.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-6.2:**

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NO<sub>x</sub> Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NO<sub>x</sub> Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NO<sub>x</sub> Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NO<sub>x</sub> Ozone Season unit shall:

- (1) install all monitoring systems required under this Subpart for monitoring NO<sub>x</sub> mass emissions and individual unit heat input (including all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under



paragraph (a)(1) of this section; and

(3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 2-7: Prohibitions**

**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement:6 NYCRR 243-8.1**

**Item 2-7.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-7.2:**

No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NOx Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NOx Ozone Season unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:

- (i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
- (ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
- (iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

**Condition 2-8: Out of control periods**



**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement:6 NYCRR 243-8.3**

**Item 2-8.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-8.2:**

Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to, 40 CFR Part 75.

**Condition 2-9: Quarterly reports**

**Effective between the dates of 10/14/2009 and 04/12/2012**

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

**Item 2-9.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-9.2:**

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

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

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

(ii) for a unit that commences commercial operation on or after July 1, 2007, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 243-8.1(b), unless that quarter is the third or fourth

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quarter of 2007 or the first quarter of 2008, in which case reporting shall commence in the quarter covering May 1, 2008 through June 30, 2008.

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

For CAIR NO<sub>x</sub> Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

**Condition 2-10: Compliance certification**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

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

**Item 2-10.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-10.2:**

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

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

(2) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions; and

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO<sub>x</sub> emission rate and NO<sub>x</sub> 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<sub>x</sub> emissions.

**Condition 2-11: CAIR NO<sub>x</sub> Annual Trading Program General Conditions**  
**Effective between the dates of 10/14/2009 and 04/12/2012**



**Applicable Federal Requirement:6 NYCRR Subpart 244-1**

**Item 2-11.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-11.2:**

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NO<sub>x</sub> allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO<sub>x</sub> units at the source during that control period. A CAIR NO<sub>x</sub> allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NO<sub>x</sub> unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]

3) If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the CAIR NO<sub>x</sub> source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other

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submission under the CAIR NOx Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Annual Trading Program.

**Condition 2-12: Designated CAIR Representative**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement:6 NYCRR Subpart 244-2**

**Item 2-12.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-12.2:**

1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

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

**Condition 2-13: Compliance Certification**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement:6 NYCRR Subpart 244-8**

**Item 2-13.1:**

**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 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 2-13.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

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

(2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

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

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



in addition to the NOx mass emission data, heat input data, and other information required by this Subpart.

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

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

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

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [ 244-8.3(a) ]

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



existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 3 calendar month(s).

**Condition 2-14: CAIR General and Permit Requirements**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement: 6 NYCRR Subpart 245-1**

**Item 2-14.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-14.2:**

(1) Each CAIR SO<sub>2</sub> source must have a permit issued by the department pursuant to 6NYCRR Parts 201 and 621 of this title; and shall have a CAIR permit issued pursuant to 6NYCRR Part 245-3 by the Department and operate the source in compliance with such CAIR permit. Each CAIR permit must contain all applicable requirements for the CAIR SO<sub>2</sub> Trading Program and shall be a complete and separable portion of the permit. (245-1 and 245-3)

(2) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each CAIR SO<sub>2</sub> source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period (January 1 through December 31) as determined in accordance with 6NYCRR Part 245-6.5(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with 6NYCRR Part 245-8. (245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36))

(3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated. (245-1.6(c)(3))

(4)'Excess emissions requirements.' If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any



control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. (245-1.6(d))

(5) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator:

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program. (245-1.6(e))

**Condition 2-15: Designated CAIR Representative**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement: 6 NYCRR Subpart 245-2**

**Item 2-15.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 2-15.2:**

1) Each CAIR SO<sub>2</sub> source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO<sub>2</sub> Trading Program. The CAIR designated representative of the CAIR SO<sub>2</sub> source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO<sub>2</sub> units at the source and shall act in accordance with the certification statement in



6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO<sub>2</sub> source represented and each CAIR SO<sub>2</sub> unit at the source in all matters pertaining to the CAIR SO<sub>2</sub> Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

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

**Condition 2-16: Compliance Certification**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement: 6 NYCRR Subpart 245-8**

**Item 2-16.1:**

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: 007446-09-5      SULFUR DIOXIDE

**Item 2-16.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO<sub>2</sub> emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO<sub>2</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as



provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO<sub>2</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO<sub>2</sub> unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO<sub>2</sub> unit. [245-8.1]

2)The owner or operator of each CAIR SO<sub>2</sub> unit shall:  
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO<sub>2</sub> mass emissions and individual unit heat input (including all systems required to monitor SO<sub>2</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

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

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

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.  
[245-8.1(b)]

(i) For the CAIR SO<sub>2</sub> unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO<sub>2</sub> unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to



accurately measure or record SO<sub>2</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

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

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

7) The owner or operator of a CAIR SO<sub>2</sub> unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

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

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]



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

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

11) For CAIR SO<sub>2</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO<sub>2</sub> mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

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

- i) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications; and
- ii) for a unit with add-on SO<sub>2</sub> emission controls and for all hours where SO<sub>2</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO<sub>2</sub> emissions.

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.

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The initial report is due 1/30/2010.  
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**

**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

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the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

**Condition 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

**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

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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

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 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.

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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  
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

**New York State Department of Environmental Conservation**

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



**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).

**Condition 62: Compliance Certification**

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

**Applicable Federal Requirement:40 CFR Part 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:

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 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:40 CFR 64.8**

**Item 63.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Emission Unit: U00006

Emission Unit: U00007

**New York State Department of Environmental Conservation**

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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 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:40 CFR Part 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:6 NYCRR Subpart 201-6

**Item 65.1(From Mod 2):**

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.): 4668.894

NYTME (km.): 148.728

Building: SA CARLSON



**Item 65.2(From Mod 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(From Mod 0):**

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

Emission Unit: U-00005

Emission Point: 00005

Height (ft.): 62 Length (in.): 30 Width (in.): 30  
NYTMN (km.): 4668.905 NYTME (km.): 148.724 Building: SA CARLSON

**Item 65.4(From Mod 0):**

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

Emission Unit: U-00006

Emission Point: 00006

Height (ft.): 62 Length (in.): 30 Width (in.): 30  
NYTMN (km.): 4668.903 NYTME (km.): 148.727 Building: SA CARLSON

**Item 65.5(From Mod 0):**

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.): 4668.91 NYTME (km.): 148.715 Building: SA CARLSON

**Item 65.6(From Mod 0):**

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

Emission Unit: U-00008

Emission Point: 00008

Height (ft.): 100 Length (in.): 21 Width (in.): 13  
NYTMN (km.): 4668.901 NYTME (km.): 148.732 Building: SA CARLSON

**Item 65.7(From Mod 0):**

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

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NYTMN (km.): 4668.892 NYTME (km.): 148.746 Building: SA CARLSON

Emission Point: 00021
Height (ft.): 200 Diameter (in.): 144
NYTMN (km.): 4668.869 NYTME (km.): 148.739 Building: SA CARLSON

Item 65.8(From Mod 0):

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(From Mod 0):

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.): 4668.894 NYTME (km.): 148.737 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:6 NYCRR Subpart 201-6

Item 66.1(From Mod 2):

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). A Powdered Activated Carbon injection system (00PAC) and a Consol water spray system (00WTR) are used as needed to facilitate the control of mercury emissions from 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

Emission Source/Control: 00PAC - Control  
Control Type: ACTIVATED CARBON INJECTION

Emission Source/Control: 00WTR - Control  
Control Type: WATER INJECTION

**Item 66.2(From Mod 2):**

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

**Item 66.3(From Mod 2):**

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

**Item 66.4(From Mod 2):**

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 66.5(From Mod 0):**

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 66.6(From Mod 0):**

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 66.7(From Mod 0):**

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

**Item 66.8(From Mod 0):**

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 66.9(From Mod 0):**

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 66.10(From Mod 0):**

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 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 66.11(From Mod 0):**

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:

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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 66.12(From Mod 0):**

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(From Mod 0):**

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

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

**Applicable Federal Requirement:6 NYCRR Subpart 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-00022  
CAS No: 000630080 (From Mod 0)



Name: CARBON MONOXIDE  
PTE(s): 17,400 pounds per year

CAS No: 0NY075005 (From Mod 0)  
Name: PM-10  
PTE(s): 1,600 pounds per year

CAS No: 0NY210000 (From Mod 0)  
Name: OXIDES OF NITROGEN  
PTE(s): 10,000 pounds per year

**Condition 2-17: Compliance Certification**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable Federal Requirement: 6 NYCRR 231-11.2 (b)**

**Item 2-17.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00003

**Item 2-17.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For a modification with a project emission potential which is less than 50 percent of the applicable significant project threshold in Table 3, Table 4 or Table 6 of Subpart 231-13 of this Part, or for a modification with a project emission potential which when added to emissions excluded in accordance with Clause 231-4.1(b)(40)(i)(c) of this Part is less than 50 percent of the applicable significant project threshold in Table 3, Table 4 or Table 6 of Subpart 231-13 of this Part, the facility owner or operator, in addition to complying with any requirements under Part 201 of this Title, must maintain the following information for a minimum of five years:

- (1) A description of the modification.
- (2) An identification of each new or modified emission source(s) including the associated processes and emission unit.
- (3) The calculation of the project emission potential for each modified emission source(s) including supporting documentation.
- (4) The date the modification commenced operation.



These recordkeeping requirements apply to exempt and trivial activities but do not affect their exempt or trivial permitting status under Subpart 201-3 of this Title. The facility must submit these records to the Department, upon the Department's request.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40 CFR Part 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



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 ESPs, 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 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:

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- 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 associate 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: 6 NYCRR 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).

**Condition 70: Compliance Certification**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

**Applicable Federal Requirement: 6 NYCRR 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 NOx from this boiler shall not exceed 0.50 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 #9 boiler is operated alone.

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

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



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: 6 NYCRR 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:

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 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:6 NYCRR Subpart 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:

6 NYCRR 231-2.2 (a) (4)  
40 CFR 52.21

**Item 72.2:**

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Facility DEC ID: 9060800053



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

**Item 72.3:**

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

**Item 72.4:**

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

**Item 72.5:**

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

**Item 72.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 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 are Being Requested: 0NY210-00-0.  
Contaminant Name: Oxides of Nitrogen (NO<sub>x</sub>)  
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. NO<sub>x</sub> 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 NO<sub>x</sub> emissions as measured by the NO<sub>x</sub> 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 NO<sub>x</sub> 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

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

**Applicable Federal Requirement: 6 NYCRR Subpart 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:

6 NYCRR Subpart 231-2  
6 NYCRR 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

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:40 CFR Part 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 ESPs, 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.

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

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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: 6 NYCRR 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.
- 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

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- 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: 6 NYCRR 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:

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 NOx from this boiler shall not exceed 0.50 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 #10 boiler is operated alone.

b) During the non-ozone season, October 1 through April 30, the NOx emissions from this boiler shall not exceed 0.50 lbs of NOx per mmBtu during any 30 day rolling averaging period. The rolling 30 day average NOx emissions from boiler #10 shall be calculated from the 24 hour daily average NOx emission rates when boiler #10 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 #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 NOx emissions from the # 10 boiler alone may not always be possible. Periodic monitoring for NOx emissions from boiler #10 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 #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 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:6 NYCRR 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<sub>x</sub> from this boiler shall not exceed 0.50 lbs of NO<sub>x</sub> per mmBtu during any 24 hour daily averaging period. The stack daily 24 hour average NO<sub>x</sub> 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 April 30, the NO<sub>x</sub> emissions from this boiler shall not exceed 0.50 lbs of NO<sub>x</sub> per mmBtu during any 30 day rolling averaging period. The rolling 30 day average NO<sub>x</sub> emissions from boiler #11 shall be calculated from the 24 hour daily average NO<sub>x</sub> emission rates when boiler #11 operates alone. The stack rolling 30 day average NO<sub>x</sub> emission rate shall be recorded and reported quarterly.

2) NO<sub>x</sub> 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 NO<sub>x</sub> emissions from the #11 boiler alone may not always be possible. Periodic monitoring for NO<sub>x</sub> emissions from boiler #11 shall be conducted using the stack CEMS.

3) The facility shall report each exceedance of the 0.50 lbs of NO<sub>x</sub> 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

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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**  
**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, 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:6 NYCRR Subpart 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:

6 NYCRR 231-2.2 (a) (4)



40 CFR 52.21

**Item 79.2:**

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

**Item 79.3:**

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

**Item 79.4:**

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

**Item 79.5:**

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

**Item 79.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 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

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subject to the control, emissions offset, or modeling requirements of 6 NYCRR subpart 231-2 (non-attainment) or 40 CFR 52.21 (PSD review).

3) Compliance with this limit shall be demonstrated by maintaining records of weekly and rolling 52-week NOx 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:6 NYCRR Subpart 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:

40 CFR 52.21

**Item 80.2:**

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

**Item 80.3:**

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



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

**Item 80.4:**

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

**Item 80.5:**

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

**Item 80.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 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.

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:6 NYCRR Subpart 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:

40 CFR 52.21

**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:

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

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

**Applicable Federal Requirement: 6 NYCRR Subpart 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:

40 CFR 52.21

**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:

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), O<sub>2</sub> or CO<sub>2</sub> concentration (in percent O<sub>2</sub> or CO<sub>2</sub>) 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<sub>x</sub> 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

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: 6 NYCRR 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 NO<sub>x</sub> emissions from EU U-00004 to verify that the curtailment which generated the ERCs is

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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."

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<sub>x</sub> 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<sub>x</sub> and O<sub>2</sub> 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<sub>x</sub> 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<sub>x</sub> and diluent, the data acquisition and handling system must calculate and record the hourly NO<sub>x</sub> emissions in the units of the

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applicable NOx emission standard under §60.332(a), i.e., percent NOx 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), 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 NOx emissions are exempt from the NOx 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 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

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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.  
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:6 NYCRR 227-2.4 (e) (2) (i)**

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**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

**Item 88.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

- 1) The NO<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> 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% O<sub>2</sub>)

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: 6 NYCRR 227-2.4 (e) (1) (i)**

**Item 89.1:**

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 NO<sub>x</sub> 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 NO<sub>x</sub> 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 NO<sub>x</sub> 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<sub>x</sub> 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% O<sub>2</sub>)

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).

**Condition 90: Capping Monitoring Condition**



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

Applicable Federal Requirement:6 NYCRR Subpart 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:

6 NYCRR 231-2.2 (a) (4)  
40 CFR 52.21

**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

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: 6 NYCRR Subpart 201-7**

**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:

40 CFR 52.21



**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.

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:6 NYCRR Subpart 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:

40 CFR 52.21

**Item 92.2:**

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

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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 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

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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:6 NYCRR 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,
  - 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:

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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:6 NYCRR Subpart 201-7**

**Item 95.1:**

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

40 CFR 60.332

**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,

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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 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:6 NYCRR 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

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**Item 96.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- 1.) NOx 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 shall be submitted within 60 days of testing.

Upper Permit Limit: 100 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

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

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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

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

CAS No: 000124-38-9  
Name: CARBON DIOXIDE



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

CAS No: 007439-97-6  
Name: MERCURY

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE

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

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

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

**Condition 2-18: Unavoidable noncompliance and violations  
Effective between the dates of 10/14/2009 and 04/12/2012**

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

**Item 2-18.1:**

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

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

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



reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

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

**Applicable State Requirement: 6 NYCRR 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 of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

**Condition 2-19: Air pollution prohibited**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 2-19.1:**

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

**Applicable State Requirement:6 NYCRR 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:6 NYCRR 211.2**

**New York State Department of Environmental Conservation**

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



**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

**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:6 NYCRR 225-1.2 (a) (2)**

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



**Item 102.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003

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: 6 NYCRR 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

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:6 NYCRR 227-1.4 (a)**

**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:6 NYCRR 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 NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under NYCRR 237-6.5, as of the NO<sub>x</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO<sub>x</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of applicable State law.

A NO<sub>x</sub> budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> 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:6 NYCRR 237-1.6 (e)**

**Item 106.1:**

This Condition applies to:

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: 6 NYCRR Subpart 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.**

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:6 NYCRR 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 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 NO<sub>x</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO<sub>x</sub> budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO<sub>x</sub> Budget Trading Program, whether each NO<sub>x</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO<sub>x</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO<sub>x</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO<sub>x</sub> emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO<sub>x</sub> 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 NOx allowance transfers**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 237-7.1**

**Item 109.1:**

This Condition applies to:

Emission Unit: U00020

**Item 109.2:**

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

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

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

**Applicable State Requirement:6 NYCRR Subpart 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:

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:6 NYCRR 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 SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> 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 SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.



An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> 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 SO<sub>2</sub> allowance was allocated.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> 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 SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall: Forfeit the SO<sub>2</sub> 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:6 NYCRR 238-1.6 (e)**

**Item 112.1:**

This Condition applies to:



Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 112.2:**

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> 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 SO<sub>2</sub> authorized account representative for the source and each SO<sub>2</sub> 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 SO<sub>2</sub> 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 SO<sub>2</sub> Budget Trading Program;

Copies of all documents used to complete an SO<sub>2</sub> budget permit application and any other submission under the ADR SO<sub>2</sub> Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program;

The SO<sub>2</sub> authorized account representative of an SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall submit the reports and compliance certifications required under the ADR SO<sub>2</sub> 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:6 NYCRR 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) SO<sub>2</sub> Budget Trading Program shall be submitted, signed, and certified by the SO<sub>2</sub> authorized account representative for each SO<sub>2</sub> budget source on behalf of which the submission is made. Each such submission shall



include the following certification statement by the SO2 authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO2 budget sources or SO2 budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

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

**Applicable State Requirement:6 NYCRR 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 SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> 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 SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> 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 SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO<sub>2</sub> 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 SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> 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 SO<sub>2</sub> allowance transfers**  
**Effective between the dates of 04/13/2007 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 238-7.1**

**Item 115.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00020

**Item 115.2:**

The SO<sub>2</sub> authorized account representatives seeking recordation of an SO<sub>2</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO<sub>2</sub> 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 SO<sub>2</sub> allowance to be transferred; and
- (c) the printed name and signature of the SO<sub>2</sub> 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:6 NYCRR Subpart 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.

**Condition 2-20: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 242-1.5**

**Item 2-20.1:**

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

Emission Unit: U-00020

**Item 2-20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of the CO2 budget source and each CO2 budget unit at the source shall keep on site at the source each of the following documents for a period of 10 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 10 years, in writing by the department.

(i) The account certificate of representation for the CO2 authorized account representative for the source and each CO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 6 NYCRR Part 242-2.4, provided that the certificate and documents shall be retained on site at the source beyond such 10-year period until such documents are superseded because of the submission of a new account certificate of representation.



(ii) All emissions monitoring information, in accordance with Subpart 242-8 and 40 CFR 75.57.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CO2 Budget Trading Program.

(iv) Copies of all documents used to complete a CO2 budget permit application and any other submission under the CO2 Budget Trading Program or to demonstrate compliance with the requirements of the CO2 Budget Trading Program.

The CO2 authorized account representative of a CO2 budget source and each CO2 budget unit at the source shall submit the reports and compliance certifications required under the CO2 Budget Trading Program, including those under Subpart 242-4.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 12/31/2009.

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

**Condition 2-21: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR Subpart 242-4**

**Item 2-21.1:**

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

Emission Unit: U-00020

Regulated Contaminant(s):  
CAS No: 000124-38-9 CARBON DIOXIDE

**Item 2-21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Annual Compliance Certification Report:

(a) For each control period in which a CO2 budget source is subject to the CO2 requirements of subdivision 242-1.5(c) of this Part, CO2 authorized account representative of the source shall submit to the department by March 1st following the relevant control



period, a compliance certification report.

(b) The compliance certification report shall include the following elements:

(1) identification of the source and each CO<sub>2</sub> budget unit at the source;

(2) as an option, the serial numbers of the CO<sub>2</sub> allowances that are to be deducted from the source's compliance account under section 242-6.5 of this Part for the control period, including the serial numbers of any CO<sub>2</sub> offset allowances that are to be deducted subject to the limitations of section 242-6.5(a)(3) of this Part; and

(3) the compliance certification under subdivision (c) of this section (below).

(c) In the compliance certification report the CO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the CO<sub>2</sub> budget units at the source in compliance with the CO<sub>2</sub> Budget Trading Program, whether the source and each CO<sub>2</sub> budget unit at the source for which the compliance certification is submitted was operated during the calendar years covered by the report in compliance with the requirements of the CO<sub>2</sub> Budget Trading Program, including:

(1) whether the source was operated in compliance with the CO<sub>2</sub> requirements of section 242-1.5(c) of this Part;

(2) whether the monitoring plan applicable to each unit at the source has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute CO<sub>2</sub> emissions to the unit, in accordance with Subpart 242-8 of this Part;

(3) whether all the CO<sub>2</sub> emissions from the units at the source 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 242-8 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 242-8 of each monitor at each unit at the source, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 242-8 of this Part, if any, have changed; and

(5) if a change is required to be reported under paragraph (c)(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 2-22: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement: 6 NYCRR 242-8.5**

**Item 2-22.1:**

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

Emission Unit: U-00020

Regulated Contaminant(s):  
CAS No: 000124-38-9 CARBON DIOXIDE

**Item 2-22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Recordkeeping and Reporting (6NYCRR Part 242-8.5)

(a) General provisions. The CO<sub>2</sub> authorized account representative shall comply with all recordkeeping and reporting requirements in this section, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of section 242-2.1(e) of this Part.

(b) Monitoring plans. The owner or operator of a CO<sub>2</sub> budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO<sub>2</sub> authorized account representative shall submit an application to the department within 45 days after completing all CO<sub>2</sub> monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).

(d) Quarterly reports. The CO<sub>2</sub> authorized account representative shall submit quarterly reports, as follows:

(1) The CO<sub>2</sub> authorized account representative shall report the CO<sub>2</sub> mass emissions data and heat input data for



the CO2 budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO2 authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO2 budget unit (or group of units using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NOx, and SO2 provisions.

(3) The CO2 authorized account representative shall submit to the department or its agent 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 CO2 emissions controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emissions controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of 40 CFR part 75 and the substitute values do not systematically underestimate CO2 emissions; and

(iii) the CO2 concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO2 emissions.

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 1/30/2010.

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

**Condition 2-23: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement: 6 NYCRR 246.5 (b)**

**Item 2-23.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003



Emission Unit: U-00004

Regulated Contaminant(s):  
CAS No: 007439-97-6 MERCURY

**Item 2-23.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility-wide emission limit below is from Table 1 of 6NYCRR Part 246.5(a) and represents the allowable mercury emissions for each Mercury Reduction Program (MRP) facility for the control periods in 2010 through 2014.

The sum of mass mercury emissions (in pounds) from each applicable existing MRP unit at a MRP facility identified in Table 1 shall not exceed the facility-wide mercury emission limitation (in pounds per year) set forth in Table 1.

Manufacturer Name/Model Number: Apex Automated Mercury Source Sampler , Model # XC-6000EPC

Upper Permit Limit: 8.0 pounds

Monitoring Frequency: CONTINUOUS

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

**Condition 2-24: Requirements for Installation, Certification and Data Accounting**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.7 (b) (1)**

**Item 2-24.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

**Item 2-24.2:**

The owner or operator of a Mercury Reduction Program (MRP) unit that commences commercial operation before July 1, 2008, shall by January 1, 2009;

(1) Install all monitoring systems required under sections 246.7 through 246.13 of this Part for



monitoring mercury mass emissions and individual unit heat input (including all systems required to monitor mercury concentration, stack gas moisture content, stack gas flow rate, and CO<sub>2</sub> or O<sub>2</sub> concentration, as applicable) in accordance with 40 CFR 75.81, 40 CFR 75.82, and 40 CFR 60 Appendix B - Performance Specification 12A;

(2) Successfully complete all certification tests required under section 246.8 of this Part and meet all other requirements of sections 246.7 through 246.13 of this Part, and of 40 CFR 75 Subpart I of applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record and report the data from the monitoring systems under paragraph (a)(1) of this section in accordance with 40 CFR 75.84; and

(4) Quality assure the data from the monitoring systems under paragraph (a)(1) of this section in accordance with 40 CFR 75.80(e).

**Condition 2-25: Certification Procedures for Sorbent Trap Monitoring Systems**

**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.8 (c) (1)**

**Item 2-25.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

**Item 2-25.2:**

The owner or operator of a Mercury Reduction Program (MRP) unit shall comply with the following initial certification for sorbent trap monitoring system under 40 CFR 75.15.

Requirements for initial certification. The owner or operator shall ensure that each sorbent trap monitoring system under paragraph 246.7(a)(1) (including the automated data acquisition and handling system) successfully completes all of the initial certification testing required under 40 CFR 75.20 by the applicable deadline in subdivision 246.7(b). In addition, whenever the owner or operator installs a monitoring system to meet the requirements of this section in a location where no such monitoring system was previously installed, initial certification in accordance with 40 CFR 75.20 is required.

**Condition 2-26: Recertification Procedures for Sorbent Trap Monitoring System**

**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.8 (c) (2)**

**Item 2-26.1:**

This Condition applies to:

Emission Unit: U00003



Emission Unit: U00004

**Item 2-26.2:**

Whenever the owner or operator makes a replacement, modification, or change in any certified sorbent trap monitoring system under 40 CFR 75.15, that may significantly affect the ability of the system to accurately measure or record Hg mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or 40 CFR 75 Appendix B, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20.

Whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each sorbent trap monitoring system under 40 CFR 75.15, whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20. Examples of changes to a emission monitoring system that require recertification include, complete replacement of an existing monitoring system, or change in location or orientation of the sampling probe or site.

**Condition 2-27: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement: 6 NYCRR 246.8 (c) (3)**

**Item 2-27.1:**

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

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):  
CAS No: 007439-97-6      MERCURY

**Item 2-27.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notification of certification. The owner or operator of the Mercury Reduction Program (MRP) facility shall submit to the department, written notice of the dates of certification testing, in accordance with section 246.10 which refers to 40 CFR Part 75.61. The notifications shall be made not later than 21 days prior to the first scheduled day of certification or recertification testing as required by 75.61(a)(1)(i).

Certification application. The owner or operator of a MRP facility shall submit to the department a certification application for each monitoring system. A complete certification application shall include the information



specified in 40 CFR 75.63 and shall be submitted to the department within 45 days after completing all initial certification or recertification tests required under section 246.8 of this Part, including the information required under 40 CFR 75.63.

Provisional certification date. The provisional certification date for a monitoring system shall be determined in accordance with 40 CFR 75.20(a)(3). A provisionally certified monitoring system may be used under the Mercury Reduction Program for a period not to exceed 120 days after receipt by the department of the complete certification application for the monitoring system under subparagraph 246.8(c)(3)(ii). Data measured and recorded by the provisionally certified monitoring system, in accordance with the requirements of 40 CFR Part 75, will be considered valid quality-assured data (retroactive to the date and time of provisional certification), provided that the department does not invalidate the provisional certification by issuing a notice of disapproval within 120 days of the date of receipt of the complete certification application by the department.

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, all certification applications for mercury CEMs should be sent to the Department and approvals granted under 40 CFR 75.20 for mercury CEMs shall be administered through the Department.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-28: Missing Data Procedures and Out of Control Periods for CEMs**

**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.9 (a)**

**Item 2-28.1:**

This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

**Item 2-28.2:**

**New York State Department of Environmental Conservation**

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in 40 CFR 75 Subpart D.

**Condition 2-29: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.11 (a)**

**Item 2-29.1:**

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

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):  
CAS No: 007439-97-6      MERCURY

**Item 2-29.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of a Mercury Reduction Program (MRP) facility shall comply with all record keeping requirements in 6NYCRR Part 246.11 and the applicable record keeping requirements of 40 CFR 75.84(a) through (c).

Monitoring Frequency: QUARTERLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

**Condition 2-30: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.11 (b)**

**Item 2-30.1:**

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

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):  
CAS No: 007439-97-6      MERCURY

**New York State Department of Environmental Conservation**

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



**Item 2-30.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of a Mercury Reduction Program (MRP) facility shall comply with all reporting requirements in 6NYCRR Part 246.11 and the applicable reporting requirements of 40 CFR 75.84(d) through (f)

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, electronic submittal of data is not required until an electronic system is created and maintained by the US EPA. Hourly mercury mass emission data and heat input data generated by CEM units and would have been submitted to the USEPA electronically shall be kept on site until the US EPA Administrator has a method to accept this data.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

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 1/30/2010.

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

**Condition 2-31: Compliance Demonstration**

**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement: 6 NYCRR 246.11 (c)**

**Item 2-31.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 2-31.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a Mercury Reduction Program



(MRP) facility shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 246.8 of this Part, including the information required under 40 CFR 75.63.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-32: Compliance Demonstration**  
Effective between the dates of 10/14/2009 and 04/12/2012

**Applicable State Requirement: 6 NYCRR 246.11 (d)**

**Item 2-32.1:**

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

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):  
CAS No: 007439-97-6 MERCURY

**Item 2-32.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of a Mercury Reduction Program (MRP) facility that commences commercial operation before July 1, 2008 shall submit quarterly reports, as follows:

- (1) Report the mercury mass emissions data and heat input data for the MRP unit in a hard copy format prescribed by the for each calendar quarter beginning with January 1, 2009 through March 31, 2009.
- (2) Submit each quarterly report to the Department within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.84(f).
- (3) For MRP units that are also subject to an Acid Rain emissions limitation, quarterly reports shall include the applicable data and information required by 40 CFR 75 Subparts F through H as applicable, in addition to the mercury mass emission data, heat input data, and other information required by sections 246.7 through 246.13 of this Part.

**New York State Department of Environmental Conservation**

Permit ID: 9-0608-00053/00019

Facility DEC ID: 9060800053



In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, electronic submittal of quarterly data is not required until an electronic system is created and maintained by the US EPA.. Hourly mercury mass emission data and heat input data generated by CEM units and would have been submitted to the USEPA electronically shall be kept on site until the US EPA Administrator has a method to accept this data.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

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 1/30/2010.

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

**Condition 2-33: Compliance Demonstration**  
**Effective between the dates of 10/14/2009 and 04/12/2012**

**Applicable State Requirement:6 NYCRR 246.11 (e)**

**Item 2-33.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 2-33.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners or operators of a Mercury Reduction Program (MRP) facility shall submit to the Department, 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:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of sections



246.7 through 246.13 of 6NYCRR Part 246, and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(2) In absence of a revised missing data substitution plan by the Department, data are substituted in accordance with 40 CFR 75.34(a)(1) for all hours where mercury data are substituted for a unit with add-on mercury emission controls.

(i) (a) The mercury add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under 40 CFR 75 Appendix B; or

(b) With regard to a flue gas desulfurization system or a selective catalytic reduction system, quality-assured SO<sub>2</sub> emission data recorded in accordance with 40 CFR Part 75 document that the flue gas desulfurization system was operating properly, or quality-assured NO<sub>x</sub> emission data recorded in accordance with 40 CFR Part 75 document that the selective catalytic reduction system, was operating properly, as applicable, and

(ii) The substitute data values do not systematically underestimate mercury emissions.

In absence of the US EPA Administrator accepting data and reports for mercury emissions, CEMs and Data Acquisition Handling Systems, electronic submittal of quarterly data is not required until an electronic system is created and maintained by the US EPA.. Hourly mercury mass emission data and heat input data generated by CEM units and would have been submitted to the USEPA electronically shall be kept on site until the US EPA Administrator has a method to accept this data.

Note: The Department recognizes the July 1, 2006 Edition of 40 CFR Part 75.

Monitoring Frequency: QUARTERLY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 3 calendar month(s).

