



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-1464-00153/00004
Effective Date: 01/10/2007 Expiration Date: 12/31/2011

Permit Issued To: INDECK-ENERGY SERVICES INC
600 N. BUFFALO GROVE RD. SUITE 300
BUFFALO GROVE, IL 60089-1976

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

Facility: INDECK-YERKES ENERGY SERVICES
1 SHERIDAN DRIVE
TONAWANDA, NY 14150

Contact: TODD DOBMEIER
INDECK-YERKES ENERGY SERVICES
1 SHERIDAN DR
TONAWANDA, NY 14150
(716) 874-9088

Description:

INDECK-YERKES ENERGY SERVICES, INC
TITLE V PERMIT
SITE DESCRIPTION

Indeck-Yerkes Energy Services, Inc. (Indeck) is a combined cycle Cogeneration Plant, which produces both electricity and steam. The facility, which is located at 1 Sheridan Drive in the Town of Tonawanda, New York, commenced operation in 1988. Indeck uses a GE Frame 6 (PG6541(B)) Gas Turbine generator, with a design output rating of 42 MW, to produce electrical power and waste heat. A natural gas-fired duct burner, located upstream from the waste heat recovery steam generator (HRSG) and downstream from the gas turbine, is used to supplement heat input to the HRSG. A GE steam turbine, driven by the steam from the Zurn HRSG, produces up to 19.3 MW of additional electricity. The electricity produced by the gas and steam turbines is collected and stored on the regional power grid system and sold on the open market. Up to 75,000 lbs/hr of low pressure (550 psig) saturated steam is provided daily to the adjoining DuPont-Yerkes Production Plant from the steam turbine or from an auxiliary boiler when the gas turbine, HRSG, and steam turbine are not operating. This application is for the renewal of Indeck's existing Title V permit.



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The Title V Permit includes two emission units: Y-00001 and Y-00002. Emission Unit Y-00001 consists of the gas turbine and duct burner, which correspond to emission sources Y00GT and Y00DB, respectively. This emission unit consists of four processes: No. 005: the gas turbine co-firing natural gas and No. 2 fuel oil with or without the firing of the duct burner, No.006: the gas turbine firing on natural gas without the firing of the duct burner, No. 007, the gas turbine operating with No. 2 fuel oil with or without the duct burner firing and No. 009, the gas turbine and duct burner both operating and fueled with natural gas. Emission Unit Y-00002 consists of one emission source, Y00AUX, which is the auxiliary boiler. This emission unit contains two processes - No. 010: the auxiliary boiler fueled with natural gas and No. 011: the auxiliary boiler fueled with No. 2 oil. Exempt sources at this facility include four fuel oil tanks, a water treatment system, a three-cell non-contact water cooling tower, a portable engine and an emergency generator.

The facility is operated through a Westinghouse Distribution Control System (WDCS). Natural gas is the primary fuel used at the facility, with No. 2 fuel oil as the back-up for both the stationary gas turbine and the auxiliary boiler. Indeck's annual use of No. 2 fuel oil is limited to 11.5 million gallons for the facility. Oil firing of the gas turbine and auxiliary boiler is limited to 1440 hours each annually. The facility operates the gas turbine between 80% and 100% loads while firing No. 2 fuel oil or co-firing natural gas and No. 2 fuel oil. While firing natural gas only, the turbine may operate at 24 MW or greater.

The GE Frame 6 gas turbine generator has a design heat input capacity of 476 MMBTU/hr @ 48degrees Fahrenheit ambient inlet air temperature. The gas turbine is equipped with an evaporative cooler which cools the turbine inlet air, increasing the inlet mass air flow and subsequently the turbine efficiency and power output. Oxides of Nitrogen (NOx) emissions from the gas turbine are controlled by steam injection to the combustion chambers. De NOx steam injection rate is controlled by a proprietary GE Mark IV control system (emission control: Y000SI). This system can control NOx emissions to within 1.5 ppm by varying steam injection rate to compensate for changes in ambient air temperatures, load, barometric pressure, and humidity. Along with ambient air correction, the Mark IV continuously monitors the control algorithm to adjust steam injection rate to maintain a constant NOx emission rate. The Davis Duct Burner has a design heat input capacity of 30 MMBTU/hr and is fueled with natural gas only. Fins, which line the interior of the duct burner, create turbulence, thereby decreasing the level of NOx emissions. These sources exhaust emissions through one stack, Emission Point (EP) 00001.

To monitor nitrogen oxide (NOx), carbon monoxide (CO) and oxygen (O2) levels in the exhaust gas at EP00001, Indeck uses a Continuous Emissions Monitoring System (CEMS). The extractive CEMS analyzes undiluted O2 and undiluted NOx and CO concentrations on a dry basis. Outputs from each component of the CEM system are recorded and stored using a Data Acquisition and Handling System (DAHS). Nitrogen oxide concentrations in the exhaust gas are determined using a Thermo Model 10S chemiluminescent analyzer with a full range scale of 0-100 ppm. The CO concentrations are determined using a Thermo Model 48 non-dispersive infrared analyzer with a range of 0-100 ppm. Oxygen concentrations are determined using a Thermo WDG IV electro-catalytic zirconium oxide cell analyzer with a full scale range of 20.9 percent. The calibration of the CEMS is checked daily utilizing certified calibration gas.

The auxiliary boiler is a Zurn package boiler. The fuel valve stops of the boiler have been welded in place to limit the heat input capacity to 99 MMBTU/hr. Flue gas recirculation (FGR) is used to control NOx emissions by recirculating a portion of the flue gas from the auxiliary boiler into the main



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combustion chamber. By reducing the peak combustion temperature and the percentage of oxygen in the combustion air/flue gas mixture, FGR reduces the formation of thermal NO_x in the boiler and subsequently NO_x emissions. The boiler emissions vent into one stack, identified as EP 00002.

This facility is subject to the Best Available Control Technology (BACT) requirements under 40CFR52.21(j), Prevention of Significant Deterioration (PSD) for sulfur dioxide (SO₂), NO_x, particulates (PM) and PM-10 (particulates with a diameter equal to or less than 10 micro-meters) emissions. The use of low sulfur fuel oil (0.3 weight %) at the facility, steam injection in the stationary gas turbine for the reduction of NO_x and a low NO_x duct burner constitute BACT for the facility for SO₂ and NO_x emissions. The use of natural gas as the primary fuel (75%) and No. 2 fuel oil as back-up fuel (25%) were considered to be BACT for PM and PM-10 emissions. Since CO emissions increase with decreasing NO_x levels due to the control of NO_x emissions from the combustion process, the PSD analysis resulted in a limit being placed on CO emissions to avoid a significant net emissions increase of that regulated pollutant. The emission limits for NO_x, CO, PM, and PM-10 emissions from the gas turbine, duct burner, and auxiliary boiler were established through BACT analysis and the performance tests of the combustion equipment required under 40CFR60, Subpart A. The stationary gas turbine, duct burner and auxiliary boiler are also subject to 40CFR60, New Source Performance Standards (Subparts GG (turbine) and Dc (auxiliary boiler and duct burner), NYCRR227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen and 6NYCRR225-1, Fuel Composition and Use - Sulfur Limitations. The requirements for NO_x RACT, as they apply to the gas turbine/duct burner are equivalent to some of the requirements for PSD. The sulfur in fuel limitation required under 6NYCRR225-1.2(d) for fuel oil at the facility is less stringent than the limit set in accordance with PSD. Process 007 of Emission Unit Y-00001 is subject to the requirements of 6NYCRR227-1, Stationary Combustion Installations for particulate emissions. All combustion installations are subject to the opacity and corrective action requirements of 6NYCRR227-1, while firing fuel oil. Process 011 in Emission Unit Y-00002 is subject to the particulate limit and stack testing requirements of 6NYCRR227.2(b)(1).

EU Y-00001 is an “affected unit” under the Acid Rain Program and is subject to the requirements of 40CFR72. This emission unit is also subject to the requirements of 6NYCRR204, NO_x Budget Trading Program, 6NYCRR237, Acid Deposition Reduction NO_x Budget Trading Program and 6NYCRR 238, Acid Deposition Reduction SO₂ Budget Trading Program.

An applicability determination, conducted for 40CFR64, Compliance Assurance Monitoring (CAM), showed that the gas turbine (EU Y-00001) and auxiliary boiler (EU Y00002) are not subject to the requirements of CAM. In accordance with 40CFR64.2(b)(1)(vi), since the gas turbine is required to use a CEMS (a continuous compliance determination method as defined in 40CFR64.1) to comply with the NO_x limits specified under PSD, NO_x RACT and Subpart GG, it is exempt from CAM requirements. In addition, since the potential pre-control emissions of NO_x and PM from the auxiliary boiler do not meet or exceed the major source threshold of 100 tpy for each contaminant, CAM does not apply.

This Title V permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility, its emission units, processes and sources. Appendix A contains Figures 3-5 which shall be utilized to determine power output and mass emissions based on temperature and load. Appendix B contains a list of exempt activities as defined by 6NYCRR 201-3.2. A copy of the Excess Emissions Report Screening Review Checklist for the Quarterly Reports required under 40CFR52.21(j) is contained in Appendix C. Appendix D contains a site plan of emission sources and an elevation

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drawing.

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 BORSCHER
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 9
SUBOFFICE
Submission of application for permit modification or renewal-REGION 9
HEADQUARTERS



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:



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

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

Item 4.1:

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

Item 4.2:

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

Item 4.3:

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

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 5.1:

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

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

Condition 6: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 6.1:

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

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;

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

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

**Condition 7: Submission of Applications for Permit Modification or Renewal -REGION 9
SUBOFFICE**

Applicable State Requirement: 6NYCRR 621.5(a)

Item 7.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Sub-office
Division of Environmental Permits
182 E. Union Street
Allegany, NY 14706-1328
(716) 372-0645

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

Applicable State Requirement: 6NYCRR 621.6(a)

Item 8.1:

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



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: INDECK-ENERGY SERVICES INC
600 N. BUFFALO GROVE RD. SUITE 300
BUFFALO GROVE, IL 60089-1976

Facility: INDECK-YERKES ENERGY SERVICES
1 SHERIDAN DRIVE
TONAWANDA, NY 14150

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

Permit Effective Date: 01/10/2007

Permit Expiration Date: 12/31/2011



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 23 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 13 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 14 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 15 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 16 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 17 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 18 6NYCRR 202-1.1: Required Emissions Tests
- 19 6NYCRR 211.3: Visible Emissions Limited
- 20 40CFR 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6NYCRR 200.3: False statement
- 24 6NYCRR 201-3.2(c)(6): Compliance Certification
- 25 6NYCRR 201-6: Emission Unit Definition
- 26 6NYCRR 201-6.5(g): Non Applicable requirements
- 27 6NYCRR 225-1.2(d): Compliance Certification
- 28 6NYCRR 225-1.7: Emission and fuel monitoring methods.
- 29 6NYCRR 227-1.2(a)(1): Compliance Certification
- 30 6NYCRR 227-1.3: Compliance Certification
- 31 6NYCRR 227-1.6(a): Corrective action.
- 32 6NYCRR 227-1.6(b): Corrective action.
- 33 6NYCRR 227-1.6(c): Corrective action.
- 34 6NYCRR 227-1.6(d): Corrective action.
- 35 6NYCRR 227-1.7(b): Emissions data requirements.
- 36 40CFR 52.21(j), Subpart A: Posting of the emission limits and operating restrictions
- 37 40CFR 52.21(j), Subpart A: Compliance Certification
- 38 40CFR 52.21(j), Subpart A: Compliance Certification



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- 39 40CFR 60, NSPS Subpart A: Compliance Certification
- 40 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 41 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 42 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 43 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 44 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 45 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 46 40CFR 60.12, NSPS Subpart A: Circumvention.
- 47 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 48 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification

Emission Unit Level

- 49 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 50 6NYCRR 201-6: Process Definition By Emission Unit

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- 51 6NYCRR 204-1.4: Compliance Certification
- 52 6NYCRR 204-1.6: Compliance Certification
- 53 6NYCRR 204-2.1: Submissions to the Department.
- 54 6NYCRR 204-4.1: Compliance Certification
- 55 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 56 6NYCRR 204-8.1: Prohibitions.
- 57 6NYCRR 204-8.1: REference to 40 CFR and list of requirements
- 58 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 59 6NYCRR 204-8.3: Out of control periods.
- 60 6NYCRR 204-8.4: Compliance Certification
- 61 6NYCRR 204-8.5: Compliance Certification
- 62 6NYCRR 204-8.7: Compliance Certification
- 63 6NYCRR 227-2.4(e)(2): Compliance Certification
- 64 6NYCRR 227-2.6(b)(5): Alternate CEMs requirements.
- 65 40CFR 52.21(j), Subpart A: CEM Reports
- 66 40CFR 52.21(j), Subpart A: Gas Turbine Output as a Function of
Temperature and Load
- 67 40CFR 52.21(j), Subpart A: Compliance Certification
- 68 40CFR 52.21(j), Subpart A: Compliance Certification
- 69 40CFR 52.21(j), Subpart A: Compliance Certification
- 70 40CFR 52.21(j), Subpart A: Compliance Certification
- 71 40CFR 52.21(j), Subpart A: Compliance Certification
- 72 40CFR 52.21(j), Subpart A: Compliance Certification
- 73 40CFR 52.21(j), Subpart A: Compliance Certification
- 74 40CFR 52.21(j), Subpart A: Compliance Certification
- 75 40CFR 52.21(j), Subpart A: Compliance Certification
- 76 40CFR 52.21(j), Subpart A: Compliance Certification
- 77 40CFR 52.21(j), Subpart A: Compliance Certification
- 78 40CFR 52.21(j), Subpart A: Compliance Certification
- 79 40CFR 52.21(j), Subpart A: Compliance Certification
- 80 40CFR 52.21(j), Subpart A: Compliance Certification
- 81 40CFR 52.21(j), Subpart A: Compliance Certification



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- 82 40CFR 52.21(j), Subpart A: Compliance Certification
- 83 40CFR 52.21(j), Subpart A: Compliance Certification
- 84 40CFR 52.21(j), Subpart A: Compliance Certification
- 85 40CFR 52.21(j), Subpart A: Compliance Certification
- 86 40CFR 52.21(j), Subpart A: Compliance Certification
- 87 40CFR 52.21(j), Subpart A: Compliance Certification
- 88 40CFR 52.21(j), Subpart A: Compliance Certification
- 89 40CFR 52.21(j), Subpart A: Compliance Certification
- 90 40CFR 60.330, NSPS Subpart GG: Compliance Certification
- 91 40CFR 60.332(a)(1), NSPS Subpart GG: Compliance Certification
- 92 40CFR 60.332(f), NSPS Subpart GG: Exemption from NOx standard.
- 93 40CFR 60.333, NSPS Subpart GG: Facility BACT limit for sulfur in fuel supersedes limit in 40CFR60.333
- 94 40CFR 60.333(b), NSPS Subpart GG: Compliance Certification
- 95 40CFR 60.334(b), NSPS Subpart GG: Compliance Certification
- 96 40CFR 60.334(h)(1), NSPS Subpart GG: Compliance Certification
- 97 40CFR 60.334(h)(2), NSPS Subpart GG: Compliance Certification
- 98 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification
- 99 40CFR 60.334(i)(1), NSPS Subpart GG: Compliance Certification
- 100 40CFR 60.334(j), NSPS Subpart GG: Compliance Certification
- 101 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

EU=Y-00001,Proc=007

- 102 6NYCRR 227-1.2(b): Multiple combustion sources.
- 103 6NYCRR 227-1.7(a): Fuel sampling.

EU=Y-00001,EP=00001,Proc=005

- 104 40CFR 52.21(j), Subpart A: Compliance Certification
- 105 40CFR 52.21(j), Subpart A: Compliance Certification

EU=Y-00001,EP=00001,Proc=007

- 106 40CFR 52.21(j), Subpart A: Compliance Certification

EU=Y-00001,EP=00001,Proc=009,ES=Y00DB

- 107 40CFR 52.21(j), Subpart A: Compliance Certification

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- 108 40CFR 52.21(j), Subpart A: Emission limits based on heat input
- 109 40CFR 52.21(j), Subpart A: Compliance Certification
- 110 40CFR 52.21(j), Subpart A: Compliance Certification
- 111 40CFR 52.21(j), Subpart A: Compliance Certification
- 112 40CFR 52.21(j), Subpart A: Compliance Certification
- 113 40CFR 52.21(j), Subpart A: Compliance Certification
- 114 40CFR 52.21(j), Subpart A: Compliance Certification

EU=Y-00002,Proc=011



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- 115 6NYCRR 227.2(b)(1): Compliance Certification
- 116 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 117 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 118 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Certification
- 119 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.
- 120 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.
- 121 40CFR 60.45c, NSPS Subpart Dc: Compliance methods for particulate matter.
- 122 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.
- 123 40CFR 60.48c, NSPS Subpart Dc: Recordkeeping and reporting.
- 124 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Certification

EU=Y-00002,EP=00002,Proc=010

- 125 6NYCRR 227-2.4(c)(2): Compliance Certification

EU=Y-00002,EP=00002,Proc=011

- 126 6NYCRR 227-2.4(c)(2): Compliance Certification
- 127 40CFR 52.21(j), Subpart A: Compliance Certification
- 128 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 129 ECL 19-0301: Contaminant List
- 130 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 131 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

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- 132 6NYCRR 237-1.4(a): Applicable Units, nameplate capacity of 25 MWe or greater
- 133 6NYCRR 237-1.6(c): Compliance Demonstration
- 134 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 135 6NYCRR 237-1.6(f): Liability
- 136 6NYCRR 237-1.6(g): Effect on other Authorities
- 137 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
- 138 6NYCRR 237-4.1: Compliance Demonstration
- 139 6NYCRR 237-7.1: Submission of NOx allowance transfers
- 140 6NYCRR 237-8: Compliance Demonstration
- 141 6NYCRR 238-1.4: Applicability
- 142 6NYCRR 238-1.6(c): Compliance Demonstration
- 143 6NYCRR 238-1.6(e): Record keeping and Reporting Requirements
- 144 6NYCRR 238-1.6(f): Liability
- 145 6NYCRR 238-1.6(g): Effect on Other Authorities

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- 146 6NYCRR 238-2.1: Submissions to the Department
- 147 6NYCRR 238-4.1: Compliance Demonstration
- 148 6NYCRR 238-7.1: Submission of SO₂ allowance transfers
- 149 6NYCRR 238-8: Monitoring and reporting requirements



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to



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

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

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

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

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

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

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

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

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

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in

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order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

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

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

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

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

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

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



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

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 01/10/2007 and 12/31/2011**

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

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



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

Condition 2: Fees

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 3.1:

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

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

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

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

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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

Condition 5: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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

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

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

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 01/10/2007 and 12/31/2011

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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following:

i. Compliance certifications shall contain:

- the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
- and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2



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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 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 202-2.1

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

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

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

Condition 8: Recordkeeping requirements



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Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

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

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 215

Item 9.1:

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

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

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

Condition 10: Maintenance of Equipment
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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

Condition 11: Recycling and Salvage



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Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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

Condition 23: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 23.1:

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 01/10/2007 and 12/31/2011

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

Item 12.1:

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

Condition 13: Trivial Sources - Proof of Eligibility

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 13.1:

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



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Condition 14: Standard Requirement - Provide Information
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 14.1:

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

Condition 15: General Condition - Right to Inspect
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 15.1:

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

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

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

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

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

Condition 16: Standard Requirements - Progress Reports
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 16.1:

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

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance,



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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 01/10/2007 and 12/31/2011

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

Item 17.1:

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

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

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

Condition 18: Required Emissions Tests
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 18.1:

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

Condition 19: Visible Emissions Limited
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 211.3



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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 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 68

Item 20.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
 - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
 - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr
Carrollton, Md. 20785

Condition 21: Recycling and Emissions Reduction

Effective between the dates of 01/10/2007 and 12/31/2011

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.



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Condition 22: False statement
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 200.3

Item 22.1:

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

Condition 24: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Item 24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Indeck-Yerkes operates one (1) diesel fired emergency generator at the Energy Center. This generator is considered an exempt source if used for emergencies only, including times when the usual sources of heat, power, water and lighting are temporarily unobtainable, or to provide power to fire-fighting equipment. As proof of exempt eligibility for the emergency generator, the facility shall maintain monthly records which demonstrate that the engine is operated less than 500 hours per year, including test firing, on a 12-month rolling total basis. An hour counter or similar device shall be used to monitor hours of operation, which shall be recorded each month in a permanently bound log book or other format acceptable to NYSDEC. The emergency generator shall be operated and maintained according to manufacturer's specifications to insure proper performance. Records demonstrating hours of operation, quantity of fuel fired, the manufacturer's maintenance requirements and the maintenance performed on this source shall be kept on-site for five years and be readily available to NYSDEC representatives upon request.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 499 hours



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Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
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 25: Emission Unit Definition
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 201-6

Item 25.1:

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

Emission Unit: Y-00001

Emission Unit Description:

This emission unit consists of one GE Frame 6 combustion turbine (turbine) with a design heat input of 476 MMBTU/hr and 42 MW design power output at 48 degrees Fahrenheit. The turbine is equipped with an evaporative cooler which cools the turbine inlet air, increasing the inlet mass air flow and subsequently the turbine efficiency and power output. The emission unit is also equipped with a natural gas fired 30 MMBTU/hr duct burner which supplements the waste heat from the turbine for a heat recovery steam generator (HRSG) downstream. The HRSG supplies steam to DuPont Yerkes for production and also to a 19.3 MW steam turbine for additional power generation. The combustion turbine can fire natural gas, No. 2 fuel oil or a mixture of these fuels. Nitrous oxide (NOx) emissions from the turbine are controlled by steam injection. Exhaust from the turbine and duct burner vent into one stack, emission point 00001, where emissions of NOx and CO are continuously monitored and recorded.

Building(s): 1

Item 25.2:

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

Emission Unit: Y-00002

Emission Unit Description:

This unit consists of a 99 MMBtu/hr auxiliary boiler which exhausts to the atmosphere through emission point 00002. The boiler may be fueled with either natural gas or No. 2 fuel oil and is used to generate steam for DuPont when the HRSG is not in use. The auxiliary boiler uses flue gas recirculation to control NOx emissions.



Building(s): 1

Condition 26: Non Applicable requirements
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 26.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

40CFR 64

Reason: INDECK-YERKES ENERGY CENTER, INC.
Compliance Assurance Monitoring (CAM) Applicability
Determination

Emission Unit Y-00001: Stationary Gas Turbine
The stationary gas turbine uses steam injection as a control device to meet the NO_x limits specified under PSD, NO_x RACT and 40CFR60, Subpart GG and has potential pre-control emissions equal to or greater than the major source threshold for NO_x (100 tpy). The gas turbine uses a Continuous Emissions Monitoring System to determine compliance with these NO_x limits. In accordance with 40CFR64.2(b)(1)(vi), since the gas turbine is required to use a CEMS (a continuous compliance determination method as defined in 40CFR64.1) to comply with the NO_x limits under PSD, NO_x RACT and Subpart GG, it is exempt from CAM requirements.

Emission Unit Y-00002: Auxiliary Boiler
The stationary gas turbine uses Flue Gas Recirculation (FGR) to meet NO_x RACT limits for the firing of both natural gas and No. 2 fuel oil in a mid-sized boiler as specified under 6NYCRR227-2.4(c). Analysis of the results from a stack test conducted in February 1991, prior to the installation of FGR, shows potential pre-control emissions of NO_x at 65 tpy for the auxiliary boiler firing natural gas (worst case scenario). Since the potential pre-control emissions of NO_x do not meet or exceed the major source threshold of 100 tpy for NO_x, CAM does not apply.

FGR also controls particulate emissions from the auxiliary boiler. In accordance with 6NYCRR227.2(b)(1), particulate



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emissions from the auxiliary boiler, while firing No. 2 oil, are limited to 0.10 lb/mmBTU. Stack test results (February 1991) show that the potential pre-control emissions of particulates while firing No. 2 oil in the auxiliary boiler are less than 1 tpy, based on the PSD limit of 1440 hrs/yr maximum allowable hours of operation on oil. Since the potential pre-control emissions of particulates do not meet or exceed the major source threshold of 100 tpy, CAM does not apply.

Condition 27: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 27.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sulfur content of the fuel oil burned at the facility shall not exceed 1.5% by weight per 6 NYCRR Part 225-1.2(d), Table 2. The facility BACT limit of 0.3% sulfur by weight in fuel oil established under 40CFR52.21(j) supersedes the limit of 1.5% sulfur by weight specified in 6NYCRR225-1.2(d).

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



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**Condition 28: Emission and fuel monitoring methods.
Effective between the dates of 01/10/2007 and 12/31/2011**

Applicable Federal Requirement: 6NYCRR 225-1.7

Item 28.1:

Facilities subject to Part 225-1 shall comply with the emission and fuel monitoring methods and requirements of this section 6 NYCRR 225-1.7.

**Condition 29: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011**

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

Item 29.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: Y-00001 Emission Point: 00001
Process: 005

Emission Unit: Y-00001 Emission Point: 00001
Process: 007

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

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow an emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million Btu (lb/mmBTU) heat input from any stationary combustion installation with a maximum heat input capacity exceeding 250 million Btu per hour using oil, coal tar, or any liquid fuel derived from coal.

Indeck-Yerkes operates a stationary gas turbine with a maximum heat input capacity of 476 MMBTU/hr at 48 degrees Fahrenheit, that may be fueled with either natural gas or No. 2 fuel oil. The gas turbine, while firing No 2 fuel oil, is subject to the particulate emission limit of 0.038 lb/mmBTU heat input established under 40CFR52.21(j)-Prevention of significant deterioration of air quality (PSD). Therefore, the PSD limit supersedes



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the less stringent particulate limit of 0.10 lb/mmBTU specified under 6NYCRR227-1.2(a)(1). A stack test, conducted upon request to verify compliance with the PSD limit, shall also verify compliance with this limit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: USEPA 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 30: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 30.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: Y-00001 Emission Point: 00001
Process: 005

Emission Unit: Y-00001 Emission Point: 00001
Process: 007

Emission Unit: Y-00002 Emission Point: 00002
Process: 011

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 30.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

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period per hour of not more than 27 percent opacity.

(b) Compliance with the opacity standard may be determined by:

(1) conducting observations in accordance with Reference Method 9;

(2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or

(3) considering any other credible evidence.

Operators of oil-fired combustion installations which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack for each combustion installation which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each visual observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack: the date, time of day, weather conditions, observer's name, and whether any opacity was observed. Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry and shall be available for inspection by USEPA and/or Department representatives upon request.

3) Visible emissions greater than 0% opacity are not necessarily indicative of an emission violation, but rather serve as a trigger for additional testing and/or further investigation to determine compliance with the opacity limit. If the operator observes emissions greater than 0% opacity (other than steam**) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then



a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance. If, however, the opacity observed seems excessive and/or unusual and a Method 9 certified evaluator is not readily available to determine the opacity at that time, immediate attention is required to correct the problem causing the opacity. The results of any Method 9 analysis performed must be recorded in the daily logbook and the Visible Emissions Observation Field Data Sheet with a copy of the VEO Certification for the observer must be kept on-site. A description of the plume, the cause and corrective action taken shall also be documented in the daily logbook. Annual compliance certification and semi-annual monitoring reports are required.

Emission Unit Y-00002, Process 11 is also subject to the opacity requirements specified under 40CFR60.43c(c), which are equivalent to those under this Part. Therefore, compliance with the requirements specified under 6NYCRR227-1.3 shall fulfill the requirements of 40CFR60.43c(c).

All stationary combustion installations shall be operated and maintained according to manufacturer's specifications and tuned annually, at a minimum, to insure proper performance and compliance with the regulatory limit for opacity. Records demonstrating hours of operation, fuel usage, the manufacturer's maintenance requirements and procedures and maintenance/ tune-ups performed for these sources shall be maintained onsite for five years and be readily available to NYSDEC representatives upon request.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the

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stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 31: Corrective action.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.6(a)

Item 31.1:

Any facility found in violation of the provisions of this Part shall not cause, permit, or allow the operation of the affected stationary combustion installation unless:

- (1) it is equipped with approved emission control equipment;
- (2) it is rehabilitated or upgraded in an approved manner; or
- (3) the fuel is changed to an acceptable type.

Condition 32: Corrective action.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.6(b)

Item 32.1:

The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

Condition 33: Corrective action.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.6(c)

Item 33.1:

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

Condition 34: Corrective action.



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Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.6(d)

Item 34.1:

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

Condition 35: Emissions data requirements.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.7(b)

Item 35.1:

Sampling, compositing, and analysis of fuel samples shall be conducted in accordance with methods acceptable to the commissioner.

Condition 36: Posting of the emission limits and operating restrictions

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 36.1:

A summary of the emission limits and operating restrictions of this permit must be posted in the control room of the facility and must be plainly visible (without obstructions) to the operator of the facility.

Condition 37: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Total annual fuel oil use shall not exceed 11.5 million gallons based on a daily rolling basis. The daily amount of distillate oil burned in the gas turbine (Process 007 and Process 005), the auxiliary boiler (Process 011) and



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any other combustion sources (including exempt) shall be recorded in a permanently bound log book or other format acceptable to the Department. Usage records shall be maintained on-site and shall be made available for inspection by a regulatory agency upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 11.5 million gallons

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 38: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sulfur content of fuel oil used at any combustion source at Indeck-Yerkes shall not exceed 0.3% sulfur by weight, based on a November 18, 1988 BACT determination required under 40CFR52.21(j). Sampling and analysis for the fuel oil sulfur content shall be conducted in accordance with 40CFR75, Appendix D - Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.3 percent by weight

Reference Test Method: See Appendix D to 40CFR75



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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 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 39: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 39.1:

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

Emission Unit: Y-00001

Emission Unit: Y-00002

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission Units Y-00001 and Y-00002 are subject to the
applicable general provisions of 40 CFR 60, Subpart A.
The facility owner is responsible for reviewing these
general provisions in detail and complying with all
applicable technical, administrative and reporting
requirements.

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 40: EPA Region 2 address.
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 40.1:

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This Condition applies to:

Emission Unit: Y00001

Emission Unit: Y00002

Item 40.2:

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

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

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

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

Condition 41: Recordkeeping requirements.

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 41.1:

This Condition applies to:

Emission Unit: Y00001

Emission Unit: Y00002

Item 41.2:

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 42: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011



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

Item 42.1:

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

Emission Unit: Y-00001

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

- (1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
- (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
- (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
- (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative,



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repaired, or adjusted, such information shall be stated in the report.

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 43: Excess emissions report.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 43.1:

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 44: Facility files for subject sources.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 44.1:

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

Condition 45: Opacity standard compliance testing.
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A

Item 45.1:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60 (or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

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3) all other applicable conditions cited in section 60.11 of this part.

Condition 46: Circumvention.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 46.1:

This Condition applies to:

Emission Unit: Y00001

Emission Unit: Y00002

Item 46.2:

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 47: Monitoring requirements.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

Item 47.1:

This Condition applies to:

Emission Unit: Y00001

Item 47.2:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 48: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 48.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: Y-00002



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Process: 011 Emission Source: Y0AUX

Emission Unit: Y-00002

Process: 010 Emission Source: Y0AUX

Emission Unit: Y-00001

Process: 009 Emission Source: Y00DB

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility (Emission Source (ES) Y0AUX (auxiliary boiler) and ES Y00DB (duct burner)) shall record and maintain records of the amounts of each fuel combusted during each day. The owner or operator of an affected facility that only burns very low sulfur fuel oil or other liquid or gaseous fuels with potential sulfur dioxide emissions rate of 140 ng/J (0.32 lb/MMBtu) heat input or less shall record and maintain records of the fuels combusted during each calendar month.

Both ES Y0AUX and ES Y00DB have maximum heat input capacities that are less than 100 mmBTU/hr. ES Y0AUX is permitted to combust either natural gas or No. 2 fuel oil.

ES Y00DB combusts natural gas only. Emission factors from AP-42 were used to determine the emission rate of sulfur dioxide for the combustion of No. 2 fuel oil and natural gas in boilers with heat input capacities of less than 100 mmBTU/hr. While firing No. 2 fuel oil with a sulfur content of 0.3% sulfur by weight and a heating value of 138 mmBTU/1000 gal, Y0AUX has a sulfur dioxide emission rate of 0.31 lb/mmBTU. The firing of natural gas with a sulfur content of 200 grains/10E6 scf and HHV of 1020 BTU/scf in ES Y0AUX and ES Y00DB results in an emission rate for sulfur dioxide of 0.00006 lb/mmBTU. Since these emission rates are both less than 0.32 lb/mmBTU, Indeck-Yerkes may record fuel usage monthly.

Monitoring Frequency: MONTHLY

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).



**** Emission Unit Level ****

Condition 49: Emission Point Definition By Emission Unit
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 201-6

Item 49.1:

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

Emission Unit: Y-00001

Emission Point: 00001

Height (ft.): 150

Diameter (in.): 117

NYTMN (km.): 4764.52 NYTME (km.): 180.329 Building: 1

Item 49.2:

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

Emission Unit: Y-00002

Emission Point: 00002

Height (ft.): 90

Diameter (in.): 36

NYTMN (km.): 4764.52 NYTME (km.): 180.329 Building: 1

Condition 50: Process Definition By Emission Unit
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 201-6

Item 50.1:

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

Emission Unit: Y-00001

Process: 005

Source Classification Code: 2-01-001-01

Process Description:

This process consists of a GE Frame 6 gas turbine firing on a mixture of No. 2 fuel oil and natural gas with or without the duct burner firing.

Emission Source/Control: Y00GT - Combustion

Design Capacity: 476 million Btu per hour

Emission Source/Control: Y00SI - Control

Control Type: STEAM OR WATER INJECTION

New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Item 50.2:

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

Emission Unit: Y-00001

Process: 006

Source Classification Code: 2-01-002-01

Process Description:

This process consists of a GE Frame 6 gas turbine firing on natural gas without the duct burner firing.

Emission Source/Control: Y00GT - Combustion

Design Capacity: 476 million Btu per hour

Emission Source/Control: Y00SI - Control

Control Type: STEAM OR WATER INJECTION

Item 50.3:

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

Emission Unit: Y-00001

Process: 007

Source Classification Code: 2-01-001-01

Process Description:

This process consists of a GE Frame 6 gas turbine firing on Number 2 distillate oil with or without the duct burner firing.

Emission Source/Control: Y00GT - Combustion

Design Capacity: 476 million Btu per hour

Emission Source/Control: Y00SI - Control

Control Type: STEAM OR WATER INJECTION

Item 50.4:

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

Emission Unit: Y-00001

Process: 009

Source Classification Code: 2-02-002-03

Process Description:

This process consists of a GE Frame 6 gas turbine and duct burner firing on natural gas.

Emission Source/Control: Y00DB - Combustion

Design Capacity: 30 million Btu per hour

Emission Source/Control: Y00GT - Combustion

Design Capacity: 476 million Btu per hour



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Emission Source/Control: Y00SI - Control
Control Type: STEAM OR WATER INJECTION

Item 50.5:

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

Emission Unit: Y-00002
Process: 010
Process Description:
This process consists of the auxiliary boiler burning natural gas. Flue Gas Recirculation is used to control NOx emissions.

Source Classification Code: 1-02-006-02

Emission Source/Control: Y0AUX - Combustion
Design Capacity: 99 million Btu per hour

Emission Source/Control: Y0FGR - Control
Control Type: FLUE GAS RECIRCULATION

Item 50.6:

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

Emission Unit: Y-00002
Process: 011
Process Description:
This process consists of the auxiliary boiler burning Number 2 distillate oil. Flue Gas Recirculation is used to control NOx emissions.

Source Classification Code: 1-02-005-02

Emission Source/Control: Y0AUX - Combustion
Design Capacity: 99 million Btu per hour

Emission Source/Control: Y0FGR - Control
Control Type: FLUE GAS RECIRCULATION

Condition 51: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-1.4

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001
Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) The following units shall be NOx budget units, and any source that includes one or more such units shall be a NOx budget source, subject to the requirements of this Part:

(1) Electricity generating units. Any unit that, any time on or after January 1, 1995, serves a generator with a nameplate capacity equal to or greater than 15 MWe and sells any amount of electricity.

The Indeck-Yerkes Energy Center operates a stationary gas turbine with a 42 MW design power output at 47 degrees Fahrenheit. All of the electricity generated is sold to the grid, excluding the electricity utilized on site.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 52: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-1.6

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Plant Name: Indeck-Yerkes Energy Center

ORIS Code: 50451



New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

NOx Budget Unit ID: 001 (Emission Unit Y-00001)
NOx Budget Unit 001 is a NOx budget unit under 204-1.4.

Control Period: May 1 -September 30, inclusive
NOx allowance transfer deadline: November 30

(a) Permit requirements.

(2) The owners and operators of each NOx budget unit shall have a NOx budget permit and operate the unit in compliance with such NOx budget permit.

(b) Monitoring requirements.

(1) The owners and operators and, to the extent applicable, the NOx authorized account representative of each NOx budget source and each NOx budget unit at the source shall comply with the monitoring requirements of Subpart 204-8 of this Part.

(2) The emissions measurements recorded and reported in accordance with Subpart 204-8 of this Part shall be used to determine compliance by the unit with the NOx budget emissions limitation under subdivision (c) of this section.

(c) Nitrogen oxides requirements.

(1) The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under section 204-6.5 of this Part, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with Subpart 204-8 of this Part.

(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.

(4) NOx allowances shall be held in, deducted from, or transferred among NOx allowance tracking system accounts in accordance with Subparts 204-5, 204-6, 204-7, and 204-9 of this Part.

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

(d) Excess emissions requirements. The owners and operators of a NO_x budget unit that has excess emissions in any control period shall:

(1) forfeit the NO_x allowances required for deduction under section 204-6.5(d)(1) of this Part; and

(2) pay any fine, penalty, or assessment or comply with any other remedy imposed under section 204-6.5(d)(3) of this Part.

(e) Recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of the NO_x budget source and each NO_x budget 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 prior to the end of five years, in writing by the department or the administrator.

(i) The account certificate of representation for the NO_x authorized account representative for the source and each NO_x 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 of this Part; 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 account certificate of representation changing the NO_x authorized account representative.

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

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

(iv) Copies of all documents used to complete a NO_x budget



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permit application and any other submission under the NOx Budget Trading Program or to demonstrate compliance with the requirements of the NOx Budget Trading Program.

(2) The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the NOx Budget Trading Program, including those under Subpart 204-4, 204-8, or 204-9 of this Part.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: NOVEMBER 30TH

Condition 53: Submissions to the Department.
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 53.1:

This Condition applies to Emission Unit: Y-00001

Item 53.2: 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 54: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certification report.

(a) Applicability and deadline. For each control period in

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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 30th of that year, a compliance certification report for each source covering all such units.

(b) Contents of report. The NOx authorized account representative shall include in the compliance certification report under subdivision (a) of this section the following elements, in a format prescribed by the administrator, concerning each unit at the source and subject to the NOx budget emissions limitation for the control period covered by the report:

- (1) identification of each NOx budget unit;
- (2) at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under section 204-6.5 of this Part 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 Subpart 204-8 of this Part, the percentage of NOx allowances that is to be deducted from each unit's compliance account under section 204-6.5(e) of this Part; and
- (4) the compliance certification under subdivision (c) of this section.

(c) Compliance certification. In the compliance certification report under subdivision (a) of this section, the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx Budget Trading Program applicable to the unit, including:

- (1) whether the unit was operated in compliance with the NOx budget emissions limitation;

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

(3) whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8 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 has 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 55: Submission of NOx allowance transfers.
Effective between the dates of 01/10/2007 and 12/31/2011**

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 55.1:

This Condition applies to Emission Unit: Y-00001

Item 55.2: The NOx authorized account representatives seeking recordation of a NOx allowance



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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 56: Prohibitions.

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 56.1:

This Condition applies to Emission Unit: Y-00001

Item 56.2: No owner or operator of a NOx Budget unit or a non-NOx Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

- (1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
- (2) 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 except as provided for in 40 CFR 75.74;
- (3) 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, 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 except as provided for in 40 CFR 75.74; and
- (4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:
 - (i) 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 discontinued monitoring system; or
 - (ii) The NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 57: REference to 40 CFR and list of requirements

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 57.1:



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This Condition applies to Emission Unit: Y-00001

Item 57.2: 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 58: Requirements for recertification of monitoring systems.
Effective between the dates of 01/10/2007 and 12/31/2011**

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 58.1:

This Condition applies to Emission Unit: Y-00001

Item 58.2: 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 59: Out of control periods.
Effective between the dates of 01/10/2007 and 12/31/2011**



Applicable Federal Requirement: 6NYCRR 204-8.3

Item 59.1:

This Condition applies to Emission Unit: Y-00001

Item 59.2: 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 60: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

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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 61: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-8.5

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 61.2:

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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The NO_x authorized account representative shall submit each quarterly report to the department and the administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64.

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

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

Compliance certification

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

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

(ii) for a unit with add-on NO_x emission controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the monitoring plan and the substitute values do not systematically underestimate NO_x emissions; and

(iii) for a unit that is reporting on a control period



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basis under this subdivision the NO_x emission rate and NO_x concentration values substituted for missing data under subpart D of 40 CFR part 75 are calculated using only values from a control period and do not systematically underestimate NO_x emissions.

The NO_x authorized account representative shall comply with all recordkeeping and reporting requirements in this section and with the requirements of section 204-2.1(e) of 6 NYCRR Part 204.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 62: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 204-8.7

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 62.2:

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 NO_x Mass emissions using a NO_x 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.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 63: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 63.1:

The Compliance Certification activity will be performed for:



Emission Unit: Y-00001

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

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Combustion turbines. The owner or operator of a combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with either the presumptive RACT emission limits in paragraph (1) or (2) of this subdivision or a case-by-case RACT determination pursuant to paragraph (3) of this subdivision, as applicable:

(2) For combined cycle combustion turbines:

(i) 42 ppmvd, corrected to 15 percent oxygen, when firing gas; and

(ii) 65 ppmvd, corrected to 15 percent oxygen, when firing oil.

For sources with a duct burner, compliance will be based on the combination of the turbine and the duct burner when both fire, and the turbine alone when not duct-firing.

Compliance with these emission limits must be determined with a one hour average in accordance with section 227-2.6(a)(5) of this Subpart. The CEMS requirements of section 227-2.6(b)(5) of this Subpart apply.

These limits are equivalent to those set under 40CFR52.21 - Prevention of significant deterioration of air quality (PSD) to comply with the Best Available Control Technology (BACT) requirements.

Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.



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The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 64: Alternate CEMs requirements.
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(5)

Item 64.1:

This Condition applies to Emission Unit: Y-00001

Item 64.2:

The owner/operator shall measure NOx emissions with a continuous emissions monitoring system which follows the procedures in 40 CFR Part 75.

Condition 65: CEM Reports
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 65.1:

This Condition applies to Emission Unit: Y-00001

Item 65.2:

Indeck shall submit a quarterly written CEM report to NYSDEC for every calendar year quarter. All quarterly reports shall be post marked by the 30th day following the end of each calendar quarter and shall include:

(i) a summary of excess emissions and CEMS down time reported in the format specified in Appendix C of the Title V permit, 40 CFR60.7(d) or equivalent;

(ii) the results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent);

(iii) excess emissions shall be identified as any one-hour block period during which the average emissions of NOx or CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits set forth in this permit; and

(iv) for the purposes of this permit, excess emissions indicated by the CEM system for one hour block periods other than start-ups and shutdowns, malfunctions (as stated in 6NYCRR Subpart 201-1.4) and CEM calibrations may be considered violations of the applicable emission limits.

Condition 66: Gas Turbine Output as a Function of Temperature and Load
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A



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Item 66.1:

This Condition applies to Emission Unit: Y-00001

Item 66.2:

The gas turbine output in kilowatts (KW) which corresponds to the ambient temperature and percent load shall be derived from Figure 5, contained in Appendix A of the Title V permit. The figure depicts the output of the gas turbine in KW as a function of temperature in degrees F for 80% and 100% loads.

Condition 67: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 67.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOX EMISSIONS LIMIT FOR PERIODS OF STARTUP or SHUTDOWN OF THE GAS TURBINE WHILE FIRING NATURAL GAS (Process 006 and Process 009):

The original PSD permit provided a three hour period during which startup or shutdown of the stationary gas turbine could occur without enforcement of the normal operating emission limits for NOx. During these periods of thermal instability, compliance with the NOx limits established under PSD was technologically infeasible. The stationary gas turbine requires up to three hours of operation before thermal stability is obtained and NOx emissions can be reduced via steam injection. During shutdown there may also be limited steam available for steam injection to control NOx. The NOx mass emission limit specified in this condition has been established for the stationary gas turbine during periods of start-up and shutdown, only.

1.) Firing natural gas, the combustion gas turbine shall not emit more than 501 pounds of NOx during a startup or

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shutdown period. A startup period begins when the combustion process is initiated from shutdown status and continues until the lowest allowable operating load is attained and the steam injection system is fully operational and able to meet NOx emission limits. A shutdown period begins when the unit goes below the lowest level of stable operation and continues until the fuel supply is completely turned off. Startup and shutdown periods shall not exceed 180 minutes (three hours).

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

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

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

5.) Any occurrence of excess emissions shall be reported to the Department promptly and shall include the cause, the corrective action taken and the actual mass emissions. This information shall also be included in the semi-annual compliance report.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 501 pounds

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

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 68: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOX EMISSIONS LIMIT FOR PERIODS OF STARTUP or SHUTDOWN OF THE GAS TURBINE (GT) WHILE FIRING FUEL OIL (Process 007):

The original PSD permit provided a three hour period during which startup or shutdown of the stationary gas turbine could occur without enforcement of the normal operating emission limits for NOx. During these periods of thermal instability, compliance with the NOx limits established under PSD was technologically infeasible. The stationary gas turbine requires up to three hours of operation to generate steam via the Heat Recovery Steam Generator for injection into the GT to control NOx formation. During shutdown there may also be limited steam available for steam injection to control NOx. The NOx mass emissions limit specified in this condition has been established for the stationary gas turbine during periods of start-up and shutdown, only.

1.) Firing fuel oil, the combustion gas turbine shall not emit more than 484 pounds of NOx during a startup or shutdown period. A startup period begins when the combustion process is initiated from shutdown status and continues until the lowest allowable operating load is attained and the steam injection system is fully operational and able to meet NOx emission limits. A shutdown period begins when the unit goes below the lowest level of stable operation and continues until the fuel supply is completely turned off. Startup and shutdown periods shall not exceed 180 minutes (three hours).

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- 2.) The hourly emissions for any partial hour after the end of a startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.
- 3.) The total emissions from each startup and shutdown period shall be recorded. Data recording should be adjusted to reflect the CEM response time.
- 4.) CEM calibrations shall be avoided during the startup or shutdown periods when feasible.
- 5.) Any occurrence of excess emissions shall be reported to the Department promptly and shall include the cause, the corrective action taken and the actual mass emissions. This information shall also be included in the semi-annual compliance report.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 484 pounds

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

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 69: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall operate and maintain a CEMS to measure and record NO_x emissions and to demonstrate compliance with the NO_x limit. This emission limit for NO_x applies to in-stack emissions for all operating loads equal to or greater than 24 MW power output for the gas turbine and the gas turbine/duct burner firing on natural gas (Processes 006 and 009, respectively). The CEMS shall be maintained and operated in accordance with the approved Facility CEMS Monitoring & QA Plans which are based on 40CFR60 Appendix B (Performance Specifications) & Appendix F (Quality Assurance Procedures), the NESCAUM Guidance for CEMS (9/90), and the NYSDEC Air Guide No. 34. Performance Specification No. 2 (PS-2) contained in 40CFR60 Appendix B shall be used to evaluate the NO_x CEMS. Procedure 1 (P-1) contained in 40CFR60 Appendix F shall be used to evaluate the effectiveness of Quality Control and Quality Assurance procedures and the quality of data produced by the CEMS to determine compliance with this limit for NO_x. Compliance with this limit also satisfies the requirements for 6NYCRR227-2.4(e)(2)(i), NO_x RACT, which specifies an equivalent limit for NO_x.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

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

Reference Test Method: USEPA Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 70: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-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:

The facility shall operate and maintain a CEMS to measure and record NOx emissions and to demonstrate compliance with the NOx limit. This emission limit for NOx applies to the minimum allowable load (80% power output) and full load (100% power output) for the turbine firing on No. 2 oil (Process 007) and a combination of natural gas and No. 2 oil (Process 005). The CEMS shall be maintained and operated in accordance with the current approved Facility CEMS Monitoring & QA Plans which are based on 40CFR60 Appendix B & Appendix F, the NESCAUM Guidance for CEMS (9/90), and the NYSDEC Air Guide No. 34. Performance Specification No. 2 (PS-2) contained in 40CFR60 Appendix B shall be used to evaluate the NOx CEMS. Procedure 1 (P-1) contained in 40CFR60 Appendix F shall be used to evaluate the effectiveness of Quality Control and Quality Assurance procedures and the quality of data produced by the CEMS to determine compliance with this limit for NOx. Compliance with this limit also satisfies the requirements for 6NYCRR227-2.4(e)(2)(ii), NOx RACT, which specifies an equivalent limit for NOx.

Manufacturer Name/Model Number: Thermo-Environmental, Inc. / TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 65.0 parts per million by volume
(dry, corrected to 15% O2)

Reference Test Method: USEPA Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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



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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Condition 71: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

During periods of water washing, CO emissions from the gas turbine and maximum in-stack CO emissions from the gas turbine/duct burner shall not exceed 40 ppm and 40 lb/hr. The duration of each water wash shall not exceed 2 hours. The mass emission rate (lb/hr) of CO shall be calculated continuously in accordance with the Facility CEMS Monitoring and QA Plans. The calculated mass emission rate and the combustion inlet air temperature shall be used to determine compliance with the mass emission limit.

The CEMS shall meet the requirements specified in the Facility CEMS Monitoring and QA Plans which are based on 40CFR60 Appendix B and Appendix F, the NESCAUM Guidance for CEMS (9/90) and the NYSDEC Air Guide No. 34. Performance Specification No. 4 (PS-4) contained in 40CFR60 Appendix B shall be used to evaluate the CO CEMS. Procedure 1 (P-1) contained in 40CFR60 Appendix F shall be used to evaluate the effectiveness of Quality Control and Quality Assurance procedures and the quality of data produced by the CEMS to determine compliance with this limit for CO.

Manufacturer Name/Model Number: Thermo Environmental/TECO Model 48 Non-Dispersive Infrared Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 40.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: USEPA Method 10

Monitoring Frequency: CONTINUOUS



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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 72: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

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

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This emission limit for PM-10 (based on HHV of fuel), from the original PSD permit, applies at all ambient temperatures for all operating loads between 24 MW and 42 MW maximum power output for Processes 006 and 009 and between 80% and 100% power output for Process 007.

Actual and estimated mass emission rates of PM-10 from Process 009 (turbine and duct burner firing on natural gas) derived from stack test data (EPA Method 202 combined with Method 201/201A) and the GE Gas Turbine Performance Estimator for High, Mid and Low loads each at 0, 40 and 100 degrees Fahrenheit (F) were modeled using SCREEN3. Based on the results of the SCREEN3 analysis, it was determined that the the maximum emission rate of total PM-10 at 12.8 lb/hr resulted in a maximum 24-hour concentration of total PM-10 at 1.43 ug/m3 and an annual concentration of 0.29 ug/m3. These concentrations are well below the Significant Impact Levels (SILs) (24 hr: 5 ug/m3 and annual: 1 ug/m3) and the National Ambient Air Quality Standards (NAAQS) (24 hr: 150 ug/m3 and annual: 50 ug/m3) for total PM-10 for both the 24-hour and the annual averaging periods (See Air Quality Modeling Analysis of



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Turbine Generator at Low-Load, prepared by Epsilon Associates, Inc., May 16, 2001). The maximum emission rate based on heat input determined for all loads and temperatures for Process 009 was 0.029 lb/mmBTU.

A stack test of the PM-10 emissions from the gas turbine while firing No. 2 oil (Process 007 with the duct burner firing) showed an average total PM-10 emission rate of 5.3 lb/hr (See Test Report for PM-10 Emissions from a GE Frame 6 while firing Fuel Oil, Indeck-Yerkes Tonawanda Energy Center, prepared by Nicholson Environmental, Inc., December 10, 2004) at 100 % load and average temperature of 52.2 degrees F. The average emission rate for Process 007 at 100% load and 52.2 degrees F was determined to be 0.012 lb/mmBTU.

Since the maximum estimated 24-hour and annual concentrations of total PM-10 are well below the SILs and NAAQS for total PM-10 for all processes, it was determined that the emission rate limit for Processes 006 and 009 could safely be adjusted to 0.038 lbs PM-10/mmBTU. The filterable PM-10 limits specified in the original PSD permit were 0.0053 lb/mmBTU at 80% load and 0.007 lb/mmBTU at 100% load. The filterable PM-10 limit of 0.038lb/mmBTU specified in the original PSD permit for Process 007 will remain the same for total PM-10.

Parameter Monitored: PM-10

Upper Permit Limit: 0.038 pounds per million Btus

Reference Test Method: 40CFR51, Appendix M

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 73: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 73.1:

The Compliance Certification activity will be performed for:



New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall operate and maintain a CEMS to measure and record CO emissions and to demonstrate compliance with the CO limit. This emission limit for CO applies to the all operating loads between 24 MW and 42 MW maximum power output for Processes 006 and 009 and between 80% and 100% power output for Processes 005 and 007. The CEMS shall meet the requirements specified in the Facility CEMS Monitoring and QA Plan. Performance Specification No. 4 (PS-4) contained in 40CFR60 Appendix B shall be used to evaluate the CO CEMS. Procedure 1 (P-1) contained in 40CFR60 Appendix F shall be used to evaluate the effectiveness of Quality Control and Quality Assurance procedures and the quality of data produced by the CEMS to determine compliance with this limit for CO.

Manufacturer Name/Model Number: Thermo Environmental/TECO Model 48 Non-Dispersive Infrared Analyzer

Parameter Monitored: CARBON MONOXIDE

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

Reference Test Method: USEPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 74: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 74.1:

The Compliance Certification activity will be performed for:



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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The Facility is subject to BACT requirements under 40CFR52.21 (PSD) for particulate matter (PM). A PSD BACT determination conducted for the original operating permit resulted in the use of clean fuel, i.e. 75% natural gas and 25% No. 2 fuel oil, with no add-on control as BACT for PM. This PSD emission limit for PM of 0.038 lb/mmBTU (based on HHV of fuel) applies to the all loads greater than the minimum allowable load of 80% power output for the gas turbine firing on No. 2 fuel oil without the duct burner firing (Process 007), where initial stack testing was required for compliance. The mass emission rate limit for PM for Process 007 is 17 lb/hr. USEPA Test Method 5, contained in 40CFR60, Appendix A, shall be utilized for the determination of in-stack PM emissions. Additional stack testing may be required to verify compliance and shall be conducted upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.038 pounds per million Btus

Reference Test Method: USEPA 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 75: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 75.1:

The Compliance Certification activity will be performed for:



New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

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

Item 75.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The Facility demonstrated compliance with emission limits for NOx and CO at 24 MW, 30 MW and 41 MW output for the gas turbine and duct burner firing on natural gas (Process 009) in a stack test conducted March 21-23, 2001.

Therefore, the gas turbine shall never be operated below 24 MW output for Process 006 and Process 009.

Indeck-Yerkes must track power output continuously to verify compliance with the minimum allowable power output of 24MW. Daily records must be maintained on-site for five years. Annual Certification and Deviation Reports must be submitted annually and semiannually, respectively.

Parameter Monitored: ELECTRICAL OUTPUT

Lower Permit Limit: 24 megawatt

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM-NOT TO FALL BELOW EXCEPT
DURING STARTUP/SHUTDOWN

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 76: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 76.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



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

Item 76.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The Facility has demonstrated compliance only at loads generating 80% and 100% power output while firing No. 2 fuel oil in the gas turbine. Therefore, the gas turbine shall never be operated below 80% power output for Process 007 (firing of No. 2 fuel oil in the Gas Turbine) and Process 005 (co-firing of natural gas and No. 2 fuel oil in the Gas Turbine). Indeck-Yerkes must track power output continuously to verify compliance with the minimum allowable operating capacity of 80% load. Figure 5 in Appendix A shall be used to verify compliance with this limit at all temperatures and power outputs. Daily records must be maintained on-site for five years and reporting must be conducted semi-annually and annually.

Parameter Monitored: ELECTRICAL LOAD OUTPUT

Lower Permit Limit: 80 percent

Upper Permit Limit: 100 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED
RANGE AT ANY TIME

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 77: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 77.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 77.2:



New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The Facility is subject to Best Available Control Technology (BACT) requirements under 40CFR52.21 (PSD) for particulate matter (PM). A PSD BACT determination conducted for the original operating permit resulted in the use of clean fuel, i.e. 75% natural gas and 25% No. 2 fuel oil, with no add-on control as BACT for PM. The PSD mass emission limit of 2.5 lb/hr for PM applies to the gas turbine firing on natural gas with or without the duct burner firing (Process 006 and Process 009) at all allowable outputs, where initial stack testing was required for compliance. These processes are also subject to the PSD emission limit (based on HHV of fuel) for PM of 0.007 lb/mmBTU at all allowable loads.

USEPA Test Method 5, contained in 40CFR60, Appendix A, shall be utilized for the determination of in-stack PM emissions. Additional stack testing may be required to verify compliance and shall be conducted upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 2.5 pounds per hour

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 78: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 78.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Regulated Contaminant(s):

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

Item 78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The mass emission rate limit for total (filterable + condensable) particulate matter less than 10 microns (PM-10) established under 40CFR52.21, Prevention of significant deterioration of air quality (PSD) is 12.8 lbs/hr. A PSD Best Available Control Technology (BACT) determination conducted for the original operating permit resulted in the use of clean fuel, i.e. 75% natural gas and 25% No. 2 fuel oil, with no add-on control as BACT for PM-10. This PSD emission limit for total PM-10 applies to the gas turbine (with (Process 009) or without (Process 006) the duct burner) while firing natural gas at all combustion inlet air temperatures and power outputs equal to and greater than 24 MW.

The original PSD permit contained a single emission limit of 2.5 lbs/hr and 2.6 lb/hr for particulate matter (PM) and PM-10 from Process 006 and Process 009, respectively. The limit for PM-10 pertained to the filterable portion of PM-10 only and was based on in-stack performance data for the gas turbine provided by General Electric using Method 201 or 201A. Since that permit was issued, NYSDEC policy regarding test methods for measuring PM-10 has changed. The old method (EPA Method 201 or 201A) counted filterable PM-10, but did not count condensable particulate matter. The new method (EPA Method 202 combined with Method 201 or 201A) measures both of these contaminants added together to get total PM-10.

To update PM-10 emissions to include both the filterable and condensable portions (total PM-10), a stack test on in-stack emissions from Process 009 was conducted on March 21-23, 2001 to determine the mass emission rate of total PM-10 using Method 201A and Method 202 (see Emission Test Report, Indeck-Yerkes Energy Center, prepared by E3-Killam, Inc., May 11, 2001). Actual and estimated mass emission rates of PM-10 from Process 009 (turbine and duct burner firing on natural gas) derived from stack test data and the GE Gas Turbine Performance Estimator for



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High, Mid and Low loads each at 0, 40 and 100 degrees Fahrenheit (F) showed that the maximum mass emission rate of 12.8 lbs/hr for total PM-10 occurred at high load and 0 degrees Fahrenheit. The corresponding emission rate for filterable PM-10 was 2.6 lb/hr.

In accordance with NYSDEC Policy: Regulation and Verification of Particulate Matter and PM-10 Emissions, the new permit is being adjusted to account for the condensable emissions that have always been present but were not previously measured. The new permit limit of 12.8 lb/hr is the sum of the old limit plus the amount of condensibles determined from the emission test of the facility performed in March 2001 and the GE Gas Turbine Performance Estimator. This does not reflect a loosening of PM-10 limit just a change in the way PM-10 is measured.

Since the total PM-10 emissions were determined from one stack test, under specific conditions, a future stack test under different conditions may result in a different mass emission rate. If emissions in excess of 12.8 pounds per hour are measured in subsequent stack tests, the permittee shall rely on air quality modeling analyses to determine if a significant impact has occurred. Additional stack testing may be required to verify compliance in the future and shall be conducted upon request. Test Methods 201 or 201A and 202, contained in 40CFR51, Appendix M, shall be utilized for the determination of in-stack total (filterable + condensible) PM-10 emissions.

Parameter Monitored: PM-10

Upper Permit Limit: 12.8 pounds per hour

Reference Test Method: 40CFR51, Appendix M, USEPA Method 201/201A/202

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 79: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

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

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To determine the mass emission rate limit at the current combustion inlet temperature for NO_x, the facility shall utilize the graphs shown in Figures 3 & 4 in Appendix A of the Title V permit for the turbine firing on No. 2 fuel (Process 007 and Process 005). These graphs illustrate the temperature dependency of the mass emission rate limits for NO_x at minimum (80% power output) and full (100% power output) loads for the turbine. The graphs were generated based on manufacturer's guarantees from General Electric for the turbine. Linear interpolation of these graphs at current combustion inlet temperature shall be utilized to determine the mass emission rate limits for loads operating between the minimum and full loads for Process 007 and Process 005.

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 80: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 80.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001



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Item 80.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The CEMS shall be audited at least once each calendar quarter in accordance with 40CFR60, Appendix B and Appendix F. Successive quarterly audits shall occur no closer than 2 months. A Relative Accuracy Test Audit (RATA) must be conducted at least once every four calendar quarters. A Cylinder Gas Audit (CGA) may be conducted in three of four calendar quarters, but in no more than three quarters in succession.

Reference Test Method: PS-2, PS-4, P-1

Monitoring Frequency: QUARTERLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 81: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 81.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 81.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall operate and maintain a CEMS to measure and record NOx emissions and to demonstrate compliance with the NOx limit. Actual and estimated mass emission rates of NOx for Process 009 at 41 MW, 30 MW and 24 MW power outputs were modeled at 0, 40 and 100 degrees Fahrenheit. Refined ISCST3 modeling results showed that the predicted maximum annual concentration of NO2 (41 MW, 0 degree Fahrenheit) is 0.41 ug/m3, which is below the



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Significant Impact Level of 1 ug NO₂/m³ and the National Ambient Air Quality Standard (NAAQS) of 100 ug NO₂/m³ for an annual averaging period (See Air Quality Modeling Analysis of Turbine Generator at Low-Load, prepared by Epsilon Associates, Inc., May 16, 2001). Based on these results, the in-stack mass emission rates from both Process 006 and Process 009 shall not exceed 88 lb/hr of NO_x for operating loads equal to or greater than 24 MW at any combustion inlet air temperature. Mass emission rates of NO_x shall be determined in accordance with the Acid Rain and Subpart H NO_x Emissions Monitoring Plan (December 2001) for Indeck-Yerkes.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 88 pounds per hour

Reference Test Method: Reference Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 82: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 82.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 82.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The mass emission rate limit for total (filterable + condensable) particulate matter less than 10 microns (PM-10) established under 40CFR52.21, Prevention of significant deterioration of air quality (PSD) is 21.5

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lbs/hr. A PSD Best Available Control Technology (BACT) determination conducted for the original operating permit resulted in the use of clean fuel, i.e. 75% natural gas and 25% No. 2 fuel oil, with no add-on control as BACT for PM-10. This PSD emission limit for total PM-10 applies to the gas turbine firing No. 2 fuel oil (with or without the duct burner firing) at all ambient temperatures and loads equal to and greater than 80%.

The original PSD permit contained a single emission limit for particulate matter (PM) and PM-10 of 17 lbs/hr at base load (100% power output) and 15 lbs/hr at the minimum allowable load (80% power output) for the gas turbine firing on No. 2 fuel oil without the duct burner firing (Process 007). The limit for PM-10 pertained to the filterable portion of PM-10 only and was based on in stack performance data for the gas turbine provided by General Electric using Method 201 or 201A. Since that permit was issued, NYSDEC policy regarding test methods for measuring PM-10 has changed. The old method (EPA Method 201 or 201A) counted filterable PM-10, but did not count condensible particulate matter. The new method (EPA Method 202 combined with Method 201 or 201A) measures both of these contaminants added together to get total PM-10.

To update PM-10 emissions to include both the filterable and condensible portions (total PM-10), a stack test on in-stack emissions from Process 007 (with the duct burner firing) was conducted on November 17, 2004 to determine the mass emission rate of total PM-10 using Method 201A and Method 202 (See Test Report for PM-10 Emissions from a GE Frame 6 while firing Fuel Oil, Indeck-Yerkes Tonawanda Energy Center, prepared by Nicholson Environmental, Inc., December 10, 2004). Stack test results showed that the maximum mass emission rate of filterable PM-10 at an average maximum load of 38.6 MW and 52.2 degrees Fahrenheit was 0.8 lbs/hr and the condensible portion of PM-10 was 4.5 lb/hr

In accordance with NYSDEC Policy: Regulation and Verification of Particulate Matter and PM-10 Emissions, the new permit is being adjusted to account for the condensible emissions that have always been present but were not previously measured. The new permit limit is the sum of the old limit (17 lbs/hr) plus the amount of condensibles (4.5 lbs/hr) found in an emission test of the



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facility performed in November 2004. This does not reflect a loosening of PM-10 limit just a change in the way PM-10 is measured.

Since the total PM-10 emissions were determined from one stack test, under specific conditions, a future stack test under different conditions may result in a different mass emission rate. If emissions in excess of 21.5 pounds per hour are measured in subsequent stack tests, the permittee shall rely on air quality modeling analyses to determine if a significant impact has occurred. Additional stack testing may be required to verify compliance in the future and shall be conducted upon request. Test Methods 201 or 201A and 202, contained in 40CFR51, Appendix M, shall be utilized for the determination of in-stack total (filterable + condensable) PM-10 emissions.

Parameter Monitored: PM-10

Upper Permit Limit: 21.5 pounds per hour

Reference Test Method: USEPA 201/201A/202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

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 83: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 83.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 83.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Actual and estimated mass emission rates of CO for



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Process 009 (turbine and duct burner firing on natural gas) were determined for High, Mid and Low loads at 0, 40 and 100 degrees Fahrenheit using stack test data and the GE Gas Turbine Performance Estimator. The maximum mass emission rate of 13 lb CO/hr occurred at high load (100%) and 0 degrees Fahrenheit (See Air Quality Modeling Analysis of Turbine Generator at Low-Load, prepared by Epsilon Associates, Inc., May 16, 2001). Using the maximum mass emission rate for CO, a SCREEN3 Analysis showed maximum 1-hour and 8-hour concentrations of CO at 3.58 ug/m³ and 2.62 ug/m³, respectively. For averaging periods of 1-hour and 8-hours, the Significant Impact Levels (SILs) for CO are 2000 ug/m³ and 500 ug/m³, respectively and the National Ambient Air Quality Standards (NAAQS) are 40,000 ug/m³ and 10,000 ug/m³, respectively. Since the maximum estimated 1-hour and 8-hour concentrations of CO at the maximum emission rate of CO are well below the SILs and NAAQS for CO, it was determined that the mass emission rate limit could safely be increased to 15 lbs CO/hr. This emission limit for CO applies at all ambient temperatures for all operating loads between 24 MW and 42 MW maximum power output for Processes 006 and 009 and between 80% and 100% power output for Processes 005 and 007. The mass emission rates of CO for all processes and ambient temperatures shall be determined in accordance with the current CEMS Quality Assurance Manual.

Manufacturer Name/Model Number: Thermo Environmental/TECO Model 48 Non-Dispersive Infrared Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 15 pounds per hour

Reference Test Method: USEPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 84: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 84.1:

The Compliance Certification activity will be performed for:



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Emission Unit: Y-00001

Item 84.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Combustion inlet air temperature must be continuously measured and recorded. Measurements must be accurate to within +/- 3 deg F.

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 85: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 85.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 85.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total annual water washing occurrences for the GE Frame 6 gas turbine is limited to 2250 hours per year on a rolling daily basis.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 2250 hours per year

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

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Condition 86: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 86.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 86.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The gas turbine shall only fire natural gas, No. 2 fuel oil or a combination of both. The duct burner shall only fire natural gas. The type and amount of fuel burned in the gas turbine and duct burner must be monitored and recorded. Data must be accurate to within +/- 5%.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 87: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 87.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 87.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall operate and maintain a CEMS to measure

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and record NOx emissions and to demonstrate compliance with the NOx limit. This emission limit for NOx applies to loads equal to or greater than 80% power output for the turbine firing on No. 2 oil (Process 007) or a combination of natural gas and No. 2 oil (Process 005). Mass emission rates of NOx shall be determined in accordance with the Acid Rain and Subpart H NOx Emissions Monitoring Plan (December 2001) for Indeck-Yerkes. The mass emission rate limit of 119 lb NOx/hr specified in this condition is for 100% load with a combustion inlet air temperature of 48 degrees Fahrenheit, only. The calculated mass emission rates and the the corresponding combustion inlet air temperatures shall be used to determine compliance with the applicable mass emission limits specified in Figure 3 (80% power output) and Figure 4 (100% power output) in Appendix A of the Title V permit. Linear interpolation of these graphs at current combustion inlet air temperature shall be utilized to determine the mass emission rate limits for all other allowable loads. Mass emission rates of NOx shall be determined in accordance with the Acid Rain and Subpart H NOx Emissions Monitoring Plan (December 2001) for Indeck-Yerkes.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 119 pounds per hour
Reference Test Method: USEPA Method 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 88: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 88.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

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

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Item 88.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CO EMISSIONS LIMIT FOR PERIODS OF STARTUP or SHUTDOWN OF THE GAS TURBINE (GT) WHILE FIRING NATURAL GAS (Process 006 and Process 009):

The original PSD permit provided a three hour period during which startup or shutdown of the stationary gas turbine could occur without enforcement of the normal operating emission limits for CO. During these periods of thermal instability, compliance with the CO limits established under PSD was technologically infeasible. The stationary gas turbine requires up to three hours of operation before thermal stability and combustion efficiency are obtained and CO emissions are reduced. During shutdown there may also be unstable combustion which generates CO emissions in excess of the established limits. The CO mass emission limit specified in this condition has been established for the stationary gas turbine during periods of start-up and shutdown, only.

- 1.) Firing natural gas, the combustion gas turbine shall not emit more than 407 pounds of CO during a startup or shutdown period. A startup period begins when the combustion process is initiated from shutdown status and continues until the lowest allowable operating load is attained and the CO emissions meet the CO emission limits. A shutdown period begins when the unit goes below the lowest level of stable operation and continues until the fuel supply is completely turned off. Startup and shutdown periods shall not exceed 180 minutes (three hours).
- 2.) The hourly emissions for any partial hour after the end of the startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.
- 3.) The total emissions from each startup and shutdown



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period shall be recorded. Data recording should be adjusted to reflect the CEM response time.

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

5.) Any occurrence of excess emissions shall be reported to the Department promptly and shall include the cause, the corrective action taken and the actual mass emissions. This information shall also be included in the semi-annual compliance report.

Manufacturer Name/Model Number: Thermo Environmental/TECO Model 48 Non-Dispersive Infrared Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 407 pounds

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

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 89: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 89.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 89.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CO EMISSIONS LIMIT FOR PERIODS OF STARTUP or SHUTDOWN OF THE GAS TURBINE (GT) WHILE FIRING FUEL OIL (Process 007):

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The original PSD permit provided a three hour period during which startup or shutdown of the stationary gas turbine could occur without enforcement of the normal operating emission limits for CO. It takes up to three hours of operation for the GT to reach efficient combustion and the CO emissions are reduced. During shutdown there may be unstable combustion which generates CO emissions. During these periods of thermal instability, compliance with the CO limits established under PSD was technologically infeasible. The stationary gas turbine requires up to three hours of operation before thermal stability and combustion efficiency are obtained and CO emissions are reduced. During shutdown there may also be unstable combustion which generates CO emissions in excess of the established limits. The CO mass emission limit specified in this condition has been established for the stationary gas turbine during periods of start-up and shutdown, only.

- 1.) Firing fuel oil, the combustion gas turbine shall not emit more than 217 pounds of CO during a startup or shutdown period. A startup period begins when the combustion process is initiated from shutdown status and continues until the lowest allowable operating load is attained and the CO emissions meet the CO emission limits. A shutdown period begins when the unit goes below the lowest level of stable operation and continues until the fuel supply is completely turned off. Startup and shutdown periods shall not exceed 180 minutes (three hours).
- 2.) The hourly emissions for any partial hour after the end of the startup period or before a shutdown period, will be calculated following the procedures in 40CFR Part 60, where there must be at least one minute of data outside the startup or shutdown period to be a valid 15-minute period. The calculated hourly average must comply with the normal operating emission limits.
- 3.) The total emissions from each startup and shutdown period shall be recorded. Data recording should be adjusted to reflect the CEM response time.
- 4.) CEM calibrations shall be avoided during the startup or shutdown periods when feasible.
- 5.) Any occurrence of excess emissions shall be reported



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to the Department promptly and shall include the cause,
the corrective action taken and the actual mass emissions.

This information shall also be included in the
semi-annual compliance report.

Manufacturer Name/Model Number: Thermo Environmental/TECO Model 48 Non-Dispersive
Infrared Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 217 pounds

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

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 90: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.330, NSPS Subpart GG

Item 90.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

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

Item 90.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the
following affected facilities: All stationary gas turbines
with a heat input at peak load equal to or greater than
10.7 gigajoules (10 million Btu) per hour, based on the
lower heating value of the fuel fired.

The requirements specified in this Part apply to the



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stationary gas turbine contained in EU Y-00001, which has a maximum heat input of 476 million Btu per hour at 48 degree Fahrenheit. The facility owner is responsible for reviewing this part in detail and complying with all applicable monitoring, recordkeeping, and reporting requirements.

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 91: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 91.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

Item 91.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of 75 ppm at 15 percent oxygen on a dry basis. The Indeck-Yerkes Energy Center operates a gas turbine (Processes 005, 006, 007, and 009, Emission Source Y00GT) equipped with steam injection (ES Y00SI) to control NOx emissions. A continuous emission monitor system (CEMS) in the gas turbine/duct burner exhaust stack is used to monitor NOx emissions from the gas turbine. A relative accuracy test audit of the CEMS is conducted annually.

The stationary gas turbine is also subject to the NOx emission limits of 42 ppmv and 65 ppmv (dry, corrected to



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15% O₂) for the firing of natural gas and No. 2 fuel oil, respectively in the gas turbine. These limits were established under 40CFR52.21(j) and supersede the limit under 40CFR60.332(a)(1).

Manufacturer Name/Model Number: Thermo-Environmental, Inc/TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: NITROGEN OXIDE- (USE 0NY210-00-0)

Upper Permit Limit: 75 parts per million by volume (dry,
corrected to 15% O₂)

Reference Test Method: EPA Method 7E and either EPA Method 3 or 3A

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 92: Exemption from NO_x standard.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 92.1:

This Condition applies to Emission Unit: Y-00001

Item 92.2:

Gas turbines using water or steam injection to control NO_x are exempt from section 332.a when ice fog is deemed a traffic hazard.

Condition 93: Facility BACT limit for sulfur in fuel supersedes limit in 40CFR60.333
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 93.1:

This Condition applies to Emission Unit: Y-00001

Item 93.2:

The facility BACT limit of 0.3% sulfur by weight for fuel oil, established under 40CFR52.21(j), supersedes the limit of 0.8% sulfur by weight required under 40CFR60.333 for fuel oil fired in stationary gas turbine (Process 007).

Condition 94: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011



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

Item 94.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 94.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary gas turbine subject to 40CFR60 Subpart GG shall burn in that turbine any fuel which contains sulfur in excess of 0.8 percent by weight. The owner or operator shall monitor sulfur content of the fuel being fired in the turbine according to the frequency specified in 40CFR60.334(i).

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.8 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 95: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.334(b), NSPS Subpart GG

Item 95.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

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

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Item 95.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

(b) The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as follows:

(1) Each CEMS must be installed and certified according to PS 2 and 3 (for diluent) of 40 CFR part 60, appendix B, except the 7-day calibration drift is based on unit operating days, not calendar days. Appendix F, Procedure 1 is not required. The relative accuracy test audit (RATA) of the NOX and diluent monitors may be performed individually or on a combined basis, i.e., the relative accuracy tests of the CEMS may be performed either:

(i) On a ppm basis (for NOX) and a percent O2 basis for oxygen; or

(ii) On a ppm at 15 percent O2 basis; or

(iii) On a ppm basis (for NOX) and a percent CO2 basis (for a CO2 monitor that uses the procedures in Method 20 to correct the NOX data to 15 percent O2).

(2) As specified in §60.13(e)(2), during each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

(3) For purposes of identifying excess emissions, CEMS data must be reduced to hourly averages as specified in

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§60.13(h).

(i) For each unit operating hour in which a valid hourly average, as described in paragraph (b)(2) of this section, is obtained for both NOX and diluent, the data acquisition and handling system must calculate and record the hourly NOX emissions in the units of the 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.

(ii) A worst case ISO correction factor may be calculated and applied using historical ambient data. For the purpose of this calculation, substitute the maximum humidity of ambient air (H_o), minimum ambient temperature (T_a), and minimum combustor inlet absolute pressure (P_o) into the ISO correction equation.

(iii) If the owner or operator has installed a NOX CEMS to meet the requirements of part 75 of this chapter, and is continuing to meet the ongoing requirements of part 75 of this chapter, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology provided for at 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).

Manufacturer Name/Model Number: GE/ Mark IV

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 75 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: EPA Method 7E & EPA Method 3 or 3A

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).

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Condition 96: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.334(h)(1), NSPS Subpart GG

Item 96.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 96.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

h) The owner or operator of any stationary gas turbine subject to the provisions of this subpart:

(1) Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in paragraph (h)(3) of this section. The sulfur content of the fuel must be determined using total sulfur methods described in §60.335(b)(10) (for liquid fuels, ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference, see §60.17. The fuel analyses may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency).

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.8 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 97: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.334(h)(2), NSPS Subpart GG

Item 97.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 97.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Indeck-Yerkes is not required to monitor the nitrogen content of the fuel combusted in the turbine since they do not claim an allowance for fuel bound nitrogen to calculate the NOx limit under 40CFR60.332 (1).

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 98: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.334(h)(3), NSPS Subpart GG

Item 98.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 98.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS



Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

- (i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or
- (ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

In accordance with Appendix D to Part 75, Section 2.3.2.4 (a)(2), Indeck-Yerkes submitted historical fuel sampling data for the previous 12 months documenting the total sulfur content and percentage by volume of methane in the natural gas used to fire the stationary gas turbine. The results of all sample analyses obtained by Indeck-Yerkes from January 2005 through January 2006 demonstrate that each sample result meets the definition of natural gas in 40CFR331(u). Certificates of Analysis for natural gas samples taken each month at the Indeck-Yerkes Plant show a total sulfur content of < 0.02 grains/100 scf, each and methane contents in the range of 93.95% to 96.01% by volume. In accordance with 40CFR60.331(u) natural gas must have a total sulfur content of 20.0 grains/100 scf or less and either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1100 British thermal units (Btu) per standard cubic foot. Since the fuel qualifies as natural gas based on fuel sampling and analysis, Indeck-Yerkes shall sample the fuel for total sulfur content at least annually (at least one sample must be taken in each calendar year) and when the fuel supply source changes.



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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NATURAL GAS
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 20 grains per 100 scf
Monitoring Frequency: MINIMUM - ONCE PER CALENDAR YEAR
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 99: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.334(i)(1), NSPS Subpart GG

Item 99.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

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

Item 99.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

(i) The frequency of determining the sulfur content of
the fuel shall be as follows:

(1) Fuel oil. For fuel oil, use one of the total sulfur
sampling options and the associated sampling frequency
described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3
of appendix D to part 75 of this chapter (i.e., flow
proportional sampling, daily sampling, sampling from the
unit's storage tank after each addition of fuel to the
tank, or sampling each delivery prior to combining it with
fuel oil already in the intended storage tank).

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.8 percent by weight



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 100: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 60.334(j), NSPS Subpart GG

Item 100.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001

Item 100.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(j) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows:

(1) NITROGEN OXIDES.

(iii) For turbines using NOX and diluent CEMS:

(A) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NOX concentration exceeds the applicable emission limit in §60.332(a)(1) or (2). For the purposes of this subpart, a "4-hour rolling average NOX concentration" is the arithmetic average of the average NOX concentration measured by the CEMS for a given hour (corrected to 15

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percent O₂ and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO_x concentrations immediately preceding that unit operating hour.

(B) A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour, for either NO_x concentration or diluent (or both).

(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. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

(2) **SULFUR DIOXIDE.** If the owner or operator is required to monitor the sulfur content of the fuel under paragraph (h) of this section:

(i) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

(ii) If the option to sample each delivery of fuel oil has been selected, the owner or operator shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The owner or operator shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to paragraph (j)(2)(i) of this section. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option.

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(iii) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

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 101: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 72

Item 101.1:

This Condition applies to Emission Unit: Y-00001

Item 101.2:

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.

Condition 102: Multiple combustion sources.
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.2(b)

Item 102.1:

This Condition applies to Emission Unit: Y-00001

Process: 007

Item 102.2:

The total heat input of all furnaces connected to the same stack or pollution control device shall be used to calculate the permissible particulate emission rate.

Condition 103: Fuel sampling.
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 6NYCRR 227-1.7(a)

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Item 103.1:

This Condition applies to Emission Unit: Y-00001
Process: 007

Item 103.2:

Any stationary combustion installation described in section 6 NYCRR 227-1.2 of this Part, shall provide pertinent emissions data upon the commissioner's request.

Condition 104: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 104.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001 Emission Point: 00001
Process: 005

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

Item 104.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NO_x MASS EMISSION RATE LIMIT FOR THE CO-FIRING OF NATURAL GAS and NO. 2 FUEL OIL IN THE GAS TURBINE (PROCESS 005):

When co-firing natural gas and fuel oil in the gas turbine, the source may not exceed the emission limit as calculated below. This limit is based on the heat input corresponding to the higher heating value of each fuel burned. Since the Facility has demonstrated compliance only at loads generating 80% and 100% power output while firing No. 2 fuel oil in the gas turbine, the gas turbine shall never be operated below 80% power output for Process 005. The hourly emissions and the calculated limit must be recorded each hour. Any emissions above the limit should be reported following the requirements of 60.7(c) and submitted quarterly.

$$E = ((88 \text{ lb/hr} \times H_{ng}) + (E_o \times H_o)) / (H_{ng} + H_o)$$

where:

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E is the nitrogen oxide (NO_x) limit in pounds per hour for the co-firing of natural gas and No. 2 fuel oil in the gas turbine.

88 lb/hr is the PSD mass emission rate limit for NO_x for the firing of natural gas in the gas turbine at all allowable loads and any combustion inlet air temperature (1-hour average).

H_{ng} is the heat input from natural gas during the hour, calculated using the higher heating value of the most recent natural gas analysis.

E_o is the PSD NO_x mass emission rate limit for the firing of No. 2 fuel oil in the gas turbine, which is dependent on load and combustion inlet air temperature (1-hour average). The NO_x mass emission rate limit at 100% load and 48 degrees Fahrenheit is 119 lb/hr. To determine the mass emission rate limit for the firing of No. 2 fuel oil in the gas turbine at the current combustion inlet air temperature (1-hour average) for either full (100%) or minimum (80%) loads, the facility shall utilize the graphs shown in Figures 3 & 4 in Appendix A of the Title V permit. Linear interpolation of these graphs at current combustion inlet air temperature (1-hour average) shall be utilized to determine the mass emission rate limits for loads operating between the minimum and full loads.

H_o is the heat input from fuel oil during the hour, based on the highest Gross Calorific Value (GCV) for the previous calendar year unless a higher sample value is obtained during the current calendar year, in accordance with 40CFR Part 75 App D, sec 2.2.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 119 pounds per hour

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

Monitoring Frequency: CONTINUOUS

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: QUARTERLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 4/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 105: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 105.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001 Emission Point: 00001
Process: 005

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

Item 105.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NO_x EMISSIONS LIMIT FOR THE CO-FIRING OF NATURAL GAS and
NO. 2 FUEL OIL IN THE GAS TURBINE (PROCESS 005):

When co-firing natural gas and fuel oil in the gas turbine (Process 005), the source may not exceed the emission limit as calculated below. This limit is based on the heat input corresponding to the higher heating value of each fuel burned. Since the Facility has demonstrated compliance only at loads generating 80% and 100% power output while firing No. 2 fuel oil in the gas turbine, the gas turbine shall never be operated below 80% power output for Process 005. The hourly emissions and the calculated limit must be recorded each hour. Any emissions above the limit should be reported following the requirements of 60.7(c) and submitted quarterly.

$$E = ((42 \text{ ppmv} \times H_{ng}) + (65 \text{ ppmv} \times H_o)) / (H_{ng} + H_o)$$

where:

E is the nitrogen oxide (NO_x) limit in parts per million by volume for the co-firing of natural gas and No. 2 fuel oil in the gas turbine.



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42 ppmv is the PSD emission limit for NO_x for the firing of natural gas in the gas turbine at all allowable loads and any combustion inlet air temperature.

H_{ng} is the heat input from natural gas during the hour, calculated using the higher heating value of the most recent natural gas analysis.

65 ppmv is the PSD NO_x emission limit for the firing of No. 2 fuel oil in the gas turbine, at all allowable loads and any combustion inlet air temperature.

H_o is the heat input from fuel oil during the hour, based on the highest Gross Calorific Value (GCV) for the previous calendar year unless a higher sample value is obtained during the current calendar year, in accordance with 40CFR Part 75 App D, sec 2.2.

Manufacturer Name/Model Number: Thermo-Environmental, Inc./TECO Model 10S
Chemiluminescent Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 65 parts per million by volume (dry,
corrected to 15% O₂)

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

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 106: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 106.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001 Emission Point: 00001

Process: 007

Item 106.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
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Monitoring Description:

Distillate (No. 2) fuel oil use shall be limited to 1440 hours per year in the gas turbine calculated on a daily rolling basis. Records shall be maintained and made available for inspection upon request.

When the gas turbine co-fires natural gas and No. 2 fuel oil (Process 005), the hours operated on No. 2 oil shall be calculated as follows:

$$\text{Op Hrs} = (\text{Tot Op Hr} * \text{Ho}) / (\text{Ho} + \text{Hng})$$

where:

Op Hrs is the number of hours that is apportioned to the operation of the gas turbine on No. 2 oil during the co-firing of natural gas and No. 2 oil, which must be included in the daily rolling total of hours for fuel oil use.

Tot Op Hr is the total hours that the gas turbine co-fires natural gas and No. 2 oil per event, excluding shutdown periods.

Ho is the total heat input from fuel oil during the co-firing of natural gas and No. 2 fuel oil, based on the highest Gross Calorific Value (GCV) for the previous calendar year unless a higher sample value is obtained during the current calendar year, in accordance with 40CFR Part 75 App D, sec 2.2.

Hng is the total heat input from natural gas during the co-firing of natural gas and No. 2 fuel oil, calculated using the higher heating value of the most recent natural gas analysis.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 1440 hours per year

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 107: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

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Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 107.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00001 Emission Point: 00001
Process: 009 Emission Source: Y00DB

Regulated Contaminant(s):

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

Item 107.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The Facility is subject to BACT requirements under 40CFR52.21 (PSD) for particulate matter (PM) and particulate matter less than 10 microns (PM-10). A PSD BACT determination conducted for the original operating permit resulted in the use of clean fuel, i.e. 75% natural gas and 25% No. 2 fuel oil, with no add-on control as BACT for PM and PM-10. This PSD emission limit (based on HHV of fuel) is for both PM and PM-10 and applies to the duct burner firing on natural gas (Process 009, Emission Source Y00DB), where initial stack testing was required for compliance. The mass emission rate limit for this emission source for both PM and PM-10 is 0.1 lb/hr. USEPA Test Method 5, contained in 40CFR60, Appendix A, shall be utilized for the determination of in-stack PM emissions. Test Methods 201 or 201A and 202, contained in 40CFR51, Appendix M, shall be utilized for the determination of in-stack total (filterable + condensable) PM-10 emissions. Additional stack testing may be required to verify compliance and shall be conducted upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.005 pounds per million Btus

Reference Test Method: METHOD 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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Condition 108: Emission limits based on heat input
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 108.1:

This Condition applies to Emission Unit: Y-00002

Item 108.2:

All emission limits based on heat input shall correspond to the Higher Heating Value (HHV) of the fuel burned.

Condition 109: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 109.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002

Regulated Contaminant(s):

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

Item 109.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This emission limit for NO_x, established under the original PSD Permit and based on the Higher Heating Value (HHV) of fuel, applies to the auxiliary boiler firing on natural gas (Process 010) or No. 2 fuel oil (Process 011). The initial stack test, conducted February 1991, verified compliance with an average emission rate for NO_x of 0.14 lb/mmBTU while firing natural gas and 0.12 lb/mmBTU while firing distillate (No. 2) oil. Additional stack testing may be required to verify continued compliance.

The presumptive NO_x RACT limits specified under 6NYCRR227-2.4(c)(2) for EU Y-00002, Process 010 and Process 011 supercede this PSD limit.



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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.20 pounds per million Btus
Reference Test Method: Method 7, 7E, or 19 40 CFR Part 60, Appendix A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
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 110: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 110.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002

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

Item 110.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This emission limit for CO, established under the original PSD Permit and based on the Higher Heating Value (HHV) of fuel, applies to the auxiliary boiler firing on natural gas (Process 010) or No. 2 fuel oil (Process 011). The initial stack test, conducted February 1991, verified compliance with an average emission rate for CO of 0.023 lb/mmBTU while firing natural gas and 0.024 lb/mmBTU while firing distillate (No. 2) oil. Additional stack testing may be required to verify continued compliance.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.038 pounds per million Btus
Reference Test Method: Pt 60, AppA, Method 10
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE



New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

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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 111: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 111.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002

Regulated Contaminant(s):

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

Item 111.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This emission limit for PM-10, based on the Higher Heating Value (HHV) of fuel, applies to the auxiliary boiler firing on natural gas (Process 010) or No. 2 fuel oil (Process 011), where initial stack testing was required for compliance. The mass emission rate limit for PM-10 for Process 010 and Process 011 is 11.3 lb/hr.

Test Method 201 or 201A, contained in 40CFR51, Appendix M, shall be utilized for the determination of in-stack PM-10 emissions. Additional stack testing may be required to verify compliance.

Parameter Monitored: PM-10

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: 201 or 201A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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).



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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Condition 112: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 112.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 112.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This mass emission rate limit for CO, established under the original PSD Permit, applies to the auxiliary boiler firing on natural gas (Process 010) or No. 2 fuel oil (Process 011). The initial stack test, conducted February 1991, verified compliance with an average mass emission rate for CO of 2.85 lbs/hr while firing natural gas and 2.64 lb/hr while firing distillate (No. 2) oil.

Additional stack testing may be required to verify continued compliance.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 4.3 pounds per hour

Reference Test Method: Pt 60, AppA, Method 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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 113: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 113.1:

The Compliance Certification activity will be performed for:



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Facility DEC ID: 9146400153

Emission Unit: Y-00002

Item 113.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The fuel inlet control valve stops which ensure the auxiliary boiler cannot fire greater than 99 mmBtu/hr shall be welded in place. Fuel usage records must be maintained and must demonstrate that the limit of 99 mmBtu/hr is not exceeded.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 114: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 114.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002

Regulated Contaminant(s):

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

Item 114.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This mass emission rate limit for NO_x, established under the original PSD Permit, applies to the auxiliary boiler firing on natural gas (Process 010) or No. 2 fuel oil (Process 011). The initial stack test, conducted February 1991, verified compliance with an average mass emission rate for NO_x of 16.08 lbs/hr while firing natural gas and 12.07 lb/hr while firing distillate (No. 2) oil.



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Additional stack testing may be required to verify continued compliance.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 22.6 pounds per hour

Reference Test Method: Method 7, 7E, or 19 40 CFR Part 60, Appendix A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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 115: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 115.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002

Process: 011

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 115.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emission limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) All records shall be maintained at the facility for a minimum of five years.

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Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
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 116: Exemption from the averaging period.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 116.1:

This Condition applies to Emission Unit: Y-00002
Process: 011

Item 116.2:

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

Condition 117: Enforceability.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 117.1:

This Condition applies to Emission Unit: Y-00002
Process: 011

Item 117.2:

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

Condition 118: Compliance Certification
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 118.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002



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Process: 011

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 118.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood, or oil and has a heat input capacity of 8.7 MW (30 million Btu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. Compliance with this requirement shall be verified as specified under the facility level condition for 6NYCRR227-1.3.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 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 119: Enforceability of particulate matter and opacity standards.

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 119.1:

This Condition applies to Emission Unit: Y-00002

Process: 011

Item 119.2:

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

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during periods of startup, shutdown, and malfunction.

Condition 120: Alternative compliance methods for sulfur dioxide.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 120.1:

This Condition applies to Emission Unit: Y-00002
Process: 011

Item 120.2:

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

Condition 121: Compliance methods for particulate matter.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 121.1:

This Condition applies to Emission Unit: Y-00002
Process: 011

Item 121.2:

The facility shall conduct compliance testing for particulate matter by the methods listed in this section 40 CFR 60-Dc.45c.

Condition 122: Exemption from sulfur dioxide monitoring requirements.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 122.1:

This Condition applies to Emission Unit: Y-00002
Process: 011

Item 122.2:

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

Condition 123: Recordkeeping and reporting.
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 123.1:



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This Condition applies to Emission Unit: Y-00002
Process: 011

Item 123.2:

The facility shall maintain reports and records in accordance with the provisions of this section 40 CFR 60-Dc.48c.

Condition 124: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 124.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002
Process: 011

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

Item 124.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.

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 125: Compliance Certification



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Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 125.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002 Emission Point: 00002
Process: 010

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

Item 125.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Indeck-Yerkes, a major source of NO_x that owns and operates an auxiliary boiler with a maximum heat input capacity greater than 50 mmBtu/hr and equal to or less than 100 mmBTU/hr, is subject to the NO_x RACT requirements for a midsize boiler specified under 6NYCRR227-2. NO_x emissions from the auxiliary boiler are controlled via flue gas recirculation.

The Facility chose to comply with the presumptive RACT emission limit for NO_x specified in this subdivision for the firing of natural gas. The initial stack test, conducted on March 3, 1999, verified compliance with this presumptive RACT limit with a NO_x emission rate of 0.04 lb/mmBTU heat input. Additional stack tests shall be conducted in accordance with the §227-2.6 (c) upon request by the NYSDEC.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 7, 7E, or 19 40 CFR Part 60, Appendix A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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 126: Compliance Certification



New York State Department of Environmental Conservation

Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 126.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002 Emission Point: 00002
Process: 011

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

Item 126.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Indeck-Yerkes, a major source of NO_x that owns and operates an auxiliary boiler with a maximum heat input capacity greater than 50 mmBtu/hr and equal to or less than 100 mmBTU/hr, is subject to the NO_x RACT requirements for a midsize boiler specified under 6NYCRR227-2. NO_x emissions from the auxiliary boiler are controlled via flue gas recirculation.

The Facility chose to comply with the presumptive RACT emission limit for NO_x specified in this subdivision for the firing of distillate oil. The initial stack test, conducted on March 3, 1999, verified compliance with this presumptive RACT limit with a NO_x emission rate of 0.08 lb/mmBTU heat input. Additional stack tests shall be conducted in accordance with the §227-2.6 (c) upon request by the NYSDEC.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.12 pounds per million Btus

Reference Test Method: Method 7, 7E, or 19, 40 CFR part 60, Appendix A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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).



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Condition 127: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 127.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002 Emission Point: 00002
Process: 011

Item 127.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Distillate fuel oil use in the auxiliary boiler shall be limited to 1440 hours per year calculated on a daily rolling basis. Records must be kept and made available for inspection upon request.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 1440.0 hours per year

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2007.

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

Condition 128: Compliance Certification

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 128.1:

The Compliance Certification activity will be performed for:

Emission Unit: Y-00002 Emission Point: 00002
Process: 011

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 128.2:

Compliance Certification shall include the following monitoring:

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Permit ID: 9-1464-00153/00004

Facility DEC ID: 9146400153



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under 40CFR60.8, whichever date comes first, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The facility BACT limit of 0.30% sulfur by weight in fuel oil established under 40CFR52.21(j) supersedes the limit of 0.5% sulfur by weight specified in 40CFR60.42c(d).

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).



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 129: Contaminant List
Effective between the dates of 01/10/2007 and 12/31/2011**

Applicable State Requirement: ECL 19-0301

Item 129.1:

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

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Condition 130: Unavoidable noncompliance and violations
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 201-1.4

Item 130.1:

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



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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 131: Air pollution prohibited
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 211.2

Item 131.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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

Condition 132: Applicable Units, nameplate capacity of 25 MWe or greater
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 237-1.4(a)

Item 132.1:

This Condition applies to Emission Unit: Y-00001

Item 132.2:

Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NOx budget unit, and any source

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that includes one or more such units shall be a NOx budget source, subject to the requirements of NYCRR 237

Condition 133: Compliance Demonstration

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 133.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: Y-00001

Item 133.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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



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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 134: Recordkeeping and Reporting Requirements
Effective between the dates of 01/10/2007 and 12/31/2011**

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

Item 134.1:

This Condition applies to Emission Unit: Y-00001

Item 134.2:

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.



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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 135: Liability

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 135.1:

This Condition applies to Emission Unit: Y-00001

Item 135.2:

No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect. Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 136: Effect on other Authorities

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 136.1:

This Condition applies to Emission Unit: Y-00001

Item 136.2:

No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 137: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.



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Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 237-2

Item 137.1:

This Condition applies to Emission Unit: Y-00001

Item 137.2: 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 138: Compliance Demonstration

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 237-4.1

Item 138.1:

The Compliance Demonstration activity will be performed for:

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Item 138.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

In the compliance certification report the NO_x authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for

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operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction (ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

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

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

Reporting Requirements: SEPTEMBER 30

**Condition 139: Submission of NOx allowance transfers
Effective between the dates of 01/10/2007 and 12/31/2011**

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Applicable State Requirement: 6NYCRR 237-7.1

Item 139.1:

This Condition applies to Emission Unit: Y-00001

Item 139.2:

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 140: Compliance Demonstration
Effective between the dates of 01/10/2007 and 12/31/2011**

Applicable State Requirement: 6NYCRR 237-8

Item 140.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: Y-00001

Item 140.2:

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



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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: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 141: Applicability

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 238-1.4

Item 141.1:

This Condition applies to Emission Unit: Y-00001

Item 141.2:

The administrator has determined this to be an affected SO2 budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO2 budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO2 budget unit.

Condition 142: Compliance Demonstration

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 142.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: Y-00001

Item 142.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each SO2 budget source and each SO2 budget unit at the source shall hold SO2 allowances available for compliance deductions under NYCRR 238-6.5, as of the SO2 allowance transfer deadline, in the unit's compliance account and the source's overdraft

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account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

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

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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



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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 143: Record keeping and Reporting Requirements
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 143.1:

This Condition applies to Emission Unit: Y-00001

Item 143.2: Unless otherwise provided, the owners and operators of the SO₂ budget source and each SO₂ budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

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

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

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

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

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

Condition 144: Liability
Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 144.1:

This Condition applies to Emission Unit: Y-00001



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Item 144.2:

No permit revision shall excuse any violation of the requirements of the ADR SO₂ Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget source (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget source) shall also apply to the owners and operators of such source and of the SO₂ budget units at the source;

Any provision of the ADR SO₂ Budget Trading Program that applies to an SO₂ budget unit (including a provision applicable to the SO₂ authorized account representative of an SO₂ budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO₂ authorized account representative of one SO₂ budget unit shall not be liable for any violation by any other SO₂ budget unit of which they are not owners or operators or the SO₂ authorized account representative and that is located at a source of which they are not owners or operators or the SO₂ authorized account representative.

Condition 145: Effect on Other Authorities

Effective between the dates of 01/10/2007 and 12/31/2011

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

Item 145.1:

This Condition applies to Emission Unit: Y-00001

Item 145.2:

No provision of the ADR SO₂ Budget Trading Program, an SO₂ budget permit application, or an SO₂ budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO₂ authorized account representative of an SO₂ budget source or SO₂ budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 146: Submissions to the Department

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 238-2.1

Item 146.1:

This Condition applies to Emission Unit: Y-00001

Item 146.2:

Each submission under the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program shall be submitted, signed, and certified by the SO₂ authorized account representative for each SO₂ budget source 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



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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 147: Compliance Demonstration

Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 238-4.1

Item 147.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: Y-00001

Item 147.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

- (1) identification of each SO₂ budget unit;
- (2) except in instances when the SO₂ budget unit seeks to use future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO₂ authorized account representative's option, the serial numbers of the SO₂ allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO₂ authorized account representative's option,

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for units sharing a common stack and having SO₂ emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO₂ allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

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

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

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

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

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

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the



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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 148: Submission of SO2 allowance transfers
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 238-7.1

Item 148.1:

This Condition applies to Emission Unit: Y-00001

Item 148.2:

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

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

Condition 149: Monitoring and reporting requirements
Effective between the dates of 01/10/2007 and 12/31/2011

Applicable State Requirement: 6NYCRR 238-8

Item 149.1:

This Condition applies to Emission Unit: Y-00001

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Item 149.2: 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.