

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6301-00072/00014 Modification Number: 2



09/01/2006

Facility Identification Data

Name: ASTORIA ENERGY LLC
Address: 17-10 STEINWAY ST
ASTORIA, NY 11105-1097

Owner/Firm

Name: ASTORIA ENERGY LLC
Address: 85 MAIN STREET
CONCORD, MA 01742, USA
Owner Classification: Corporation/Partnership

Permit Contacts

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Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

This is a modification to add conditions and language to the permit that deal with the issue of start-up, shutdown, and fuel switching emission limits.

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Attainment Status

ASTORIA ENERGY LLC is located in the town of QUEENS in the county of QUEENS. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor

Facility Description

A NOMINAL 1000 MEGAWATT (MW) COMBINED-CYCLE NATURAL GAS FIRED FACILITY WITH THE ABILITY TO OPERATE WITH LOW-SULFUR DISTILLATE OIL (0.033 % BY WEIGHT SULFUR LIMIT) AS A BACK UP FUEL. THE MAJOR COMPONENTS OF THE PLANT INCLUDE FOUR (4) COMBUSTION TURBINES, FOUR (4) HEAT RECOVERY STEAM GENERATORS (HRSG S), TWO (2) STEAM TURBINES WITH TWO (2) AIR COOLED CONDENSERS, FOUR (4) EXHAUST FLUES, THE SWITCHYARD AND THE ASSOCIATED EQUIPMENT. DISTILLATE FUEL WILL BE STORED IN TWO EXISTING TANKS ON SITE.

Permit Structure and Description of Operations

The Title V permit for ASTORIA ENERGY LLC is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process.

A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit

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is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device.

[NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

ASTORIA ENERGY LLC is defined by the following emission unit(s):

Emission unit U00001 - Emission Unit U00001 represents four (4) identical GE 7421FA combustion turbines, each rated at 2191 MM Btu/hr (including the duct burner when firing natural gas at -5 deg Fahrenheit) and 2047 MM Btu/hr when firing distillate fuel oil at -5 deg Fahrenheit. Emission Unit U00001 also represents one Cleaver Brooks (or equivalent) 99 MM Btu/hr auxiliary boiler that fires natural gas for startups. The boiler exhausts parallel to the turbine stack, but shares the turbine stack to the atmosphere. Natural gas is the primary fuel and distillate fuel oil is the back-up fuel.

Emission unit U00001 is associated with the following emission points (EP):
00004

It is further defined by the following process(es):

Process: P01 is located at Building TGB - Process P01 in Emission Unit U-00001 represents natural gas firing in the four (4) identical combustion turbines with duct firing. The maximum firing rate for a single turbine plus duct burner is 2191 MM Btu/hr (HHV). The maximum firing rate for a single duct burner is 388 MM Btu/hr. Due to limitations in the steam cycle portion of the plant, the maximum duct burner firing cannot occur during when a turbine is operating at its maximum natural gas firing rate (1968 MM Btu/hr).

All four combustion turbines are dual-fueled and all four turbines may operate at the same time. Natural gas is the primary fuel and distillate fuel oil is the back-up fuel. For this process, dry low NOx burners (DLN) and selective catalytic reduction (SCR) are used to control NOx emissions. Emissions of VOC and CO are controlled through the use of an oxidation catalyst. Each turbine is expected to operate up to 8,760 hours/year on natural gas and up to 720 hours/year on distillate oil. The maximum natural gas throughput for Process P01 may not exceed 15,040 million cubic feet per year.

Process: P05 is located at Building TGB - Process P05 in Emission Unit U-00001 represents natural gas firing in the 99 MM Btu/hr auxiliary boiler. This boiler fires natural gas only and is expected to operate up to 900 hours/year on natural gas. For the boiler, it is estimated that 89.1 MM cubic feet/year of natural gas will be used.

Process: P10 is located at Building TGB - Process P10 in Emission Unit U-00001 represents distillate fuel oil (limit of 0.033 % sulfur by weight) firing in the four (4) identical combustion turbines.

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All four (4) combustion turbines are dual-fueled and all four turbines may operate at the same time. Natural gas is the primary fuel and distillate fuel oil is the back-up fuel. For this process, selective catalytic reduction (SCR) and water injection (WI) are used to control NOx emissions. Emissions of VOC and CO are controlled through the use of an oxidation catalyst. Each combustion turbine is expected to operate up to 8,760 hours/year on natural gas and up to 720 hours/year on distillate oil. The maximum distillate fuel oil throughput for Process P10 may not exceed 42.1 million gallons per year.

Process: P11 is located at Building TGB - Process P11 in Emission Unit U-00001 represents natural gas firing in the four (4) identical combustion turbines without duct firing. The maximum natural gas throughput for Process P11 may not exceed 68,940 million cubic feet per year.

All four combustion turbines are dual-fueled and all four turbines may operate at the same time. Natural gas is the primary fuel and distillate fuel oil is the back-up fuel. For this process, dry low NOx burners (DLN) and selective catalytic reduction (SCR) are used to control NOx emissions. Emissions of VOC and CO are controlled through the use of an oxidation catalyst. Each turbine is expected to operate up to 8,760 hours/year on natural gas and up to 720 hours/year on distillate oil. The maximum natural gas throughput for Processes P01 & P11 combined may not exceed 70,570 million cubic feet per year.

Emission unit U00002 - Emission Unit U00002 represents a diesel fire suppression water pump. The diesel fire suppression water pump will be used for emergencies, less than 500 hours/year.

Emission unit U00002 is associated with the following emission points (EP):
00005

It is further defined by the following process(es):

Process: P22 is located at Building TGB - Process P22 in Emission Unit U-00002 represents the 300 brake horsepower diesel fire suppression water pump firing diesel fuel oil. The diesel fire suppression water pump is expected to operate less than 500 hours/year on diesel fuel oil.

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Title V/Major Source Status

ASTORIA ENERGY LLC is subject to Title V requirements. This determination is based on the following information:

The Astoria Energy LLC is a major facility because the potential emissions of carbon monoxide, nitrogen oxides and volatile organic compounds are greater than the major source thresholds (100 tons/year for carbon monoxide, and 25 tons per year for both nitrogen oxides and volatile organic compounds).

Program Applicability

The following chart summarizes the applicability of ASTORIA ENERGY LLC with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	YES
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990

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(CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's)

MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements

SIC Codes



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SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
4911	ELECTRIC SERVICES

SCC Codes

SCC or Source Classification Code is a code developed and used by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
2-80-002-18	DIESEL MARINE VESSELS DIESEL MARINE VESSELS - COMMERCIAL SUPPLY BOATS - AUXILIARY GENERATOR EXHAUST - HOTELLING
1-02-006-04	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS Cogeneration
2-01-001-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Turbine
2-01-002-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - NATURAL GAS Turbine

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate

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magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term ‘HAP’ refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
007664-41-7	AMMONIA	506000	
000630-08-0	CARBON MONOXIDE	288000	
0NY100-00-0	HAP		>= 2.5 tpy but < 10 tpy
007439-92-1	LEAD (HAP)	342	
0NY210-00-0	OXIDES OF NITROGEN	648000	
0NY075-00-0	PARTICULATES	582000	
0NY075-00-5	PM-10	582000	
007446-09-5	SULFUR DIOXIDE	292000	
007664-93-9	SULFURIC ACID	102200	
0NY998-00-0	VOC	216000	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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.

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(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 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

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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 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;

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- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item K: Reopening for Cause - 6 NYCRR 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 is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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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.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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.

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Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Short Description	Condition
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U-00001/00004/P01	40CFR 52-A.21 (j)	Best Available Control Technology	1-10, 1-11, 1-12, 1-13, 1-14, 1-15, 78, 80
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Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-301.

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6NYCRR Part 200-.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6NYCRR Part 200-.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6NYCRR Part 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-3.2(a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart.

All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department

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representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6NYCRR Part 201-3.3(a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial 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.

6NYCRR Part 201-5.3(b)

Lists those contaminants subject to contaminant specific requirements

6NYCRR Part 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6NYCRR 201-6.5(a)(4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6NYCRR 201-6.5(a)(7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6NYCRR 201-6.5(a)(8)

This is a mandatory condition for all facilities subject to Title V requirements. It

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allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6NYCRR Part 201-6.5(c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6NYCRR Part 201-6.5(c)(2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6NYCRR Part 201-6.5(c)(3)(ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6NYCRR 201-6.5(d)(5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6NYCRR Part 201-6.5(e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6NYCRR 201-6.5(f)(6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6NYCRR Part 201-6.5(g)

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Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6NYCRR Part 202-2.1

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

6NYCRR Part 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6NYCRR Part 211-.2

This regulation prohibits any emissions of air contaminants to the outdoor atmosphere which may be detrimental to human, plant or animal life or to property, or which unreasonably interferes with the comfortable enjoyment of life or property regardless of the existence of any specific air quality standard or emission limit.

6 NYCRR Part 211.3

This condition requires that the opacity (i.e., the degree to which emissions other than water reduce the transmission of light) of the emissions from any air contamination source be less than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent.

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

40 CFR Part 68.

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of

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appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, ASTORIA ENERGY LLC has been determined to be subject to the following regulations:

40CFR 52-A.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions; ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40CFR 52-A.21 (j)

BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the special permit conditions, separately by the permit reviewer.

40CFR 60-A.11

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40CFR 60-A.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40CFR 60-A.13

This regulation specifies how monitoring shall be performed and which methods and appendices are used to determine if the monitoring is adequate and in compliance with the regulated standards.

40CFR 60-A.14

This regulation defines the term modification and what is and is not considered to be a modification, for the purpose of rule applicability.

40CFR 60-A.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.

40CFR 60-A.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of

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Enforcement and Compliance Assurance.

40CFR 60-A.7 (a)

This regulation requires any owner or operator subject to a New Source Performance Standard (NSPS) to furnish the Administrator with notification of the dates of: construction or reconstruction, initial startup, any physical or operational changes, commencement of performance testing for continuous monitors and anticipated date for opacity observations as required.

40CFR 60-A.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40CFR 60-A.7 (c)

This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40CFR 60-A.7 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40CFR 60-A.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40CFR 60-A.8 (a)

This regulation contains the requirements for the completion date and reporting of Performance Testing (stack testing), at the facility. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, the owner or operator of the facility must conduct performance test(s) and furnish a written report of the test results.

40CFR 60-A.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40CFR 60-A.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40CFR 60-A.8 (d)

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This regulation contains the requirements for advance notification of Performance (stack) testing.

40CFR 60-A.8 (e)

This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.

40CFR 60-A.8 (f)

This regulation requires that Performance (stack) tests consist of three runs unless otherwise specified. The rule also designates the allowable averaging methods for the analysis of the results.

40CFR 60-A.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40CFR 60-Da.47a (c)

This regulation requires the owner or operator of an affected facility to install, calibrate, maintain, and operate a continuous monitoring system, and to record the output of the system, for measuring nitrogen oxides emissions discharged to the atmosphere.

40CFR 60-Dc.44c (g)

This regulation requires that oil fired facilities, demonstrating compliance with the sulfur dioxide standard through sampling and analysis, must test every shipment of oil after the initial approval of the sampling plan.

40CFR 60-Dc.48c (a)

This regulation requires the owner and operator of each affected facility to submit notification of the date of construction or reconstruction, anticipated startup, and actual startup of the facility. The notification must include the following information:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

40CFR 60-GG.334 (b)

This regulation requires the owner/operator of the gas turbine to monitor (measure) the sulfur and nitrogen content of the fuel being fired in the turbine.

40CFR 72

In order to reduce acid rain the the U.S. and Canada, Title IV of the Clean Air Act Amendments of 1990 requires the establishment of a program to reduce emissions of SO₂ and NO_x (sulfur dioxide and oxides

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of nitrogen). Fossil fuel burning electric utility companies are a major source of these contaminants in the US. These sources were regulated in a phased approach. Phase I, which began in 1995, requires 110 of the higher-emitting utility plants in the eastern and Midwest states to meet intermediate SO₂ emission limitations. Phase II, which began in 2000, tightens the emission limitations and expands the coverage to most fossil fuel burning utilities. The utilities are given "allowances" which is a limited authorization to emit one ton of SO₂. The utilities are required to limit SO₂ emissions to the number of allowances they hold. Some can benefit however by reducing their emissions and selling their excess allowances. Part 72 contains the means of implementing this portion of Title IV of the Clean Air Act.

6NYCRR 201-6.5 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6NYCRR 202-1.5

This rule prohibits the concealment of an emission by the use of air or other gaseous diluents (diluting agents) to achieve compliance with an emission standard which is based on the concentration of a contaminant in the gases emitted through a stack.

6NYCRR 202-2

This subpart of Part 202 sets forth the general requirements for submitting an annual statement or emissions.

6NYCRR 204-1.6

This condition requires the designated representative of the permittee to make submissions for the NO_x Budget Program. The Program is designed to mitigate the interstate transport of ground level ozone and nitrogen oxides, a ground level ozone precursor.

6NYCRR 207

This regulation requires the owner or operator to submit an episode action plan to the Department in accordance with the requirements of 6NYCRR Part 207. The plan must contain detailed steps which will be taken by the facility to reduce air contaminant emissions during each stage of an air pollution episode. Once approved, the facility shall take whatever actions are prescribed by the episode action plan when an air pollution episode is in effect.

6NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6NYCRR 227-2.4 (c)

To comply with this Subpart, emission requirements for mid-size boilers (boilers with a heat input between 50 and 100 mmBtu/hr), owners or operators of a mid-size boiler must meet the requirements of either paragraph (1) or (2) of this subdivision.

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6NYCRR 231-2.4

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

The permitting requirements for proposed source projects and new major facilities are set forth in section 231-2.4.

6NYCRR 231-2.5

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Emission controls equivalent to the lowest achievable emission rate (LAER) must be implemented for each contaminant for which Subpart 231-2 is applicable for a given source project or new major facility. LAER is defined as the most stringent emission limitation achieved in practice or which can be expected to be achieved in practice for a category of emission sources taking into consideration each air contaminant which must be controlled (6 NYCRR 200.1(ak)).

6NYCRR 231-2.6

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

The requirements and criteria for creating and certifying emission reduction credits (ERCs) are set forth in section 231-2.6.

6NYCRR 231-2.7 (b)

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Pursuant to section 231-2.7, existing major facilities may avoid the requirements of Subpart 231-2 by conducting a netting analysis. This is done by utilizing the following equation:

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$$NEI = PEP + CEI - ERCs$$

where:

NEI = net emission increase

PEP = project emission potential for the proposed source project

CEI = creditable emission increases

ERCs = emission reduction credits

All of the creditable emission increases and emission reduction credits must have occurred at the facility for which the netting analysis is being conducted and must have occurred during the contemporaneous period for the proposed project. If the net emission increase is less than the threshold values incorporated into sections 231-2.12 and 231-2.13, then the the proposed source project is not subject to the requirements of Subpart 231-2.

6NYCRR 231-2.9

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

The project emission potential for a proposed source project must be offset with emission reduction credits created or obtained pursuant to 6 NYCRR 231-2.6 or obtained from a state in which New York State has a reciprocal trading agreement in place.

Compliance Certification

Summary of monitoring activities at ASTORIA ENERGY LLC:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
U-00001	record keeping/maintenance procedures	69
U-00001/00004	record keeping/maintenance procedures	74
FACILITY	work practice involving specific operations	39
U-00001/00004	work practice involving specific operations	1-4
U-00001/00004	work practice involving specific operations	1-5
U-00001/00004/P01	intermittent emission testing	1-10
U-00001/00004/P01	intermittent emission testing	1-11
U-00001/00004/P01	continuous emission monitoring (cem)	1-12
U-00001/00004/P01	intermittent emission testing	1-13
U-00001/00004/P01	intermittent emission testing	1-14
U-00001/00004/P01	intermittent emission testing	1-15
U-00001/00004/P01	continuous emission monitoring (cem)	78
U-00001/00004/P01	intermittent emission testing	80
U-00001/00004/P05/BOIL1	record keeping/maintenance procedures	90



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U-00001/00004/P05/BOIL1	intermittent emission testing	92
U-00001/00004/P05/BOIL1	intermittent emission testing	93
U-00001/00004/P05/BOIL1	intermittent emission testing	94
U-00001/00004/P10	continuous emission monitoring (cem)	1-20
U-00001/00004/P10	intermittent emission testing	98
U-00001/00004/P10	continuous emission monitoring (cem)	99
U-00001/00004/P10	intermittent emission testing	100
U-00001/00004/P10	intermittent emission testing	101
U-00001/00004/P10	intermittent emission testing	102
U-00001/00004/P10	intermittent emission testing	103
U-00001/00004/P10	intermittent emission testing	104
U-00001/00004/P10	intermittent emission testing	105
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U-00001/00004/P11	continuous emission monitoring (cem)	1-25
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U-00001/00004/P11	intermittent emission testing	1-27
U-00001/00004/P11	intermittent emission testing	113
U-00001/00004/P11	continuous emission monitoring (cem)	114
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U-00002/00005/P22/00DFP	intermittent emission testing	123
U-00001/00004	continuous emission monitoring (cem)	1-6
U-00001	record keeping/maintenance procedures	70
U-00002	record keeping/maintenance procedures	118
U-00001/00004/P01	monitoring of process or control device parameters as surrogate	83
U-00001/00004	record keeping/maintenance procedures	129
U-00001/00004	record keeping/maintenance procedures	130
U-00001/00004/P10	work practice involving specific operations	131
FACILITY	record keeping/maintenance procedures	2-18
FACILITY	record keeping/maintenance procedures	24
FACILITY	record keeping/maintenance procedures	25
FACILITY	record keeping/maintenance procedures	31
U-00001/00004	monitoring of process or control device parameters as surrogate	73
U-00001/00004/P05/BOIL1	intermittent emission testing	1-16
U-00001	continuous emission monitoring (cem)	62
U-00001	continuous emission monitoring (cem)	63
U-00001	work practice involving specific operations	64
U-00001	continuous emission monitoring (cem)	65
U-00001	continuous emission monitoring (cem)	66
U-00001	work practice involving specific operations	67
U-00001/00004/P01	continuous emission monitoring (cem)	1-7
U-00001/00004/P01	continuous emission monitoring (cem)	1-8
U-00001/00004/P01	intermittent emission testing	1-9
U-00001/00004/P01	intermittent emission testing	75
U-00001/00004/P01	continuous emission monitoring (cem)	76
U-00001/00004/P01	continuous emission monitoring (cem)	77
U-00001/00004/P05/BOIL1	intermittent emission testing	84
U-00001/00004/P05/BOIL1	intermittent emission testing	85
U-00001/00004/P05/BOIL1	intermittent emission testing	86
U-00001/00004/P05/BOIL1	intermittent emission testing	87
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Basis for Monitoring

This facility is subject to the requirements of Title V. The facility is required, under the provisions of 6 NYCRR Subpart 201-6, to submit semiannual compliance reports and an annual Compliance Certification. This facility has to comply with the following monitoring conditions:

Condition # 24 for 6NYCRR Part 201-6.5(c)(3)(ii): This is a facility-wide condition. This condition is for Recordkeeping/Maintenance Procedures. This condition specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

Condition # 25 for 6NYCRR Part 201-6.5(e): This is a facility-wide condition. This condition is for Recordkeeping/Maintenance Procedures. This condition specifies the overall permit requirements for compliance certification, including emission limitations, standards or work practices.

Condition # 31 for 6NYCRR Part 202-2.1: This is a facility-wide condition. This condition is for Recordkeeping/Maintenance Procedures. This condition sets forth the applicability criteria for submitting an annual statement of emissions. The criteria is based on annual emission threshold quantities and ozone attainment designation. This condition is a requirements for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year.

Condition # 39 for 40 CFR 52.21(j), Subpart (A): This is a facility-wide condition. This condition is for Work Practice Involving Specific Operations for Sulfur Dioxide. Best Available Control Technology (BACT) is required for this facility. Prevention of Significant Deterioration (PSD) is required for this facility because this facility is located in an attainment area and emits pollutants which are listed in 40 CFR 52.21(b)(23)(i). This condition requires the facility to monitor the Sulfur Dioxide. Distillate fuel oil will be used as a backup up to 720 hours per year in the turbine. The sulfur content of the distillate will be monitored and will not exceed 0.033 % by weight sulfur. The distillate fuel oil is to be tested each time it is transferred to the storage tank. The Monitoring Frequency is Per batch of product/Raw Material Change and the Reporting Requirement is quarterly.

Condition # 62 for 6 NYCRR 231-2.5: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide. Lowest Achievable Emission Rate (LAER) is required for this facility. Emission controls equivalent to the lowest achievable emission rate (LAER) must be implemented for each contaminant for which



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Subpart 231-2 is applicable for a given source project or new major facility. LAER is defined as the most stringent emission limitation achieved in practice or which can be expected to be achieved in practice for a category of emission sources taking into consideration each air contaminant which must be controlled as in 6 NYCRR 200.1. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. This condition requires Astoria Energy has to keep records for demonstration of compliance with the Carbon Monoxide LAER emission limit of 144 tons per year by using Continuous Emission Monitoring (CEM) to continuously monitor the Carbon Monoxide emission. The Monitoring Frequency is continuous, the Reporting Requirement is quarterly (anniversary) and the Averaging Method is annual maximum rolled daily.

Condition # 63 for 6 NYCRR 231-2.5: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. Lowest Achievable Emission Rate (LAER) is required for this facility. Emission controls equivalent to the lowest achievable emission rate (LAER) must be implemented for each contaminant for which Subpart 231-2 is applicable for a given source project or new major facility. LAER is defined as the most stringent emission limitation achieved in practice or which can be expected to be achieved in practice for a category of emission sources taking into consideration each air contaminant which must be controlled as in 6 NYCRR 200.1. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. This condition requires Astoria Energy has to keep records for demonstration of compliance with the Oxides of Nitrogen LAER emission limit of 324 tons per year by using Continuous Emission Monitoring (CEM) to continuously monitor the Oxides of Nitrogen emission. The Monitoring Frequency is continuous, the Reporting Requirement is quarterly (anniversary) and the Averaging Method is annual maximum rolled daily.

Condition # 64 for 6 NYCRR 231-2.5: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Work Practice Involving Specific Operations for VOC. Lowest Achievable Emission Rate (LAER) is required for this facility. Emission controls equivalent to the lowest achievable emission rate (LAER) must be implemented for each contaminant for which Subpart 231-2 is applicable for a given source project or new major facility. LAER is defined as the most stringent emission limitation achieved in practice or which can be expected to be achieved in practice for a category of emission sources taking into consideration each air contaminant which must be controlled as in 6 NYCRR 200.1. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. This condition requires Astoria Energy has to keep records for demonstration of compliance with the Volatile Organic Compounds (VOC) LAER emission limit of 108 tons per year based on the stack test which is done periodically for monitoring the VOC emission. The Monitoring Frequency is annually, the Reporting Requirement is annually (anniversary) and the Averaging Method is the arithmetic mean.

Condition # 65 for 6 NYCRR 231-2.6: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide for emission reduction credits. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. The requirements and criteria for creating and certifying emission reduction credits (ERCs) are set forth in section 231-2.6. Lowest Achievable Emission Rate (LAER) is required for this facility. This condition requires Astoria Energy has to keep records for demonstration of compliance with the Carbon Monoxide LAER emission limit of 144 tons per year by using Continuous Emission Monitoring (CEM) to continuously monitor the Carbon Monoxide emission. The Monitoring

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Frequency is continuous, the Reporting Requirement is quarterly (anniversary) and the Averaging Method is annual maximum rolled daily.

Condition # 66 for 6 NYCRR 231-2.6: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen for emission reduction credits. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. The requirements and criteria for creating and certifying emission reduction credits (ERCs) are set forth in section 231-2.6. Lowest Achievable Emission Rate (LAER) is required for this facility. This condition requires Astoria Energy has to keep records for demonstration of compliance with the Oxides of Nitrogen (NOx) LAER emission limit of 324 tons per year by using Continuous Emission Monitoring (CEM) to continuously monitor the NOx emission. The Monitoring Frequency is continuous, the Reporting Requirement is quarterly (anniversary) and the Averaging Method is annual maximum rolled daily.

Condition # 67 for 6 NYCRR 231-2.6: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Work Practice Involving Specific Operations for VOC for emission reduction credits. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. The requirements and criteria for creating and certifying emission reduction credits (ERCs) are set forth in section 231-2.6. Lowest Achievable Emission Rate (LAER) is required for this facility. This condition requires Astoria Energy has to keep records for demonstration of compliance with the Volatile Organic Compounds (VOC) LAER emission limit of 108 tons per year based on the stack test which is done periodically for monitoring the VOC emission. The Monitoring Frequency is annually, the Reporting Requirement is annually (anniversary) and the Averaging Method is the arithmetic mean.

Condition # 68 for 6 NYCRR 231-2.9: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Recordkeeping/Maintenance Procedures for emission offsets. The provisions of Subpart 231-2 (New Source Review) apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides (NOX) and volatile organic compounds (VOC) since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

The project emission potential for a proposed source project must be offset with emission reduction credits created or obtained pursuant to 6 NYCRR 231-2.6 or obtained from a state in which New York State has a reciprocal trading agreement in place. Astoria Energy is obtaining the following Emission Reduction Credit transfer:

- (a). 145 tons per year of VOC ERCs from PG & E Energy Trading (which were originally transferred from General Motors Corporation's North Tarrytown Plant (Sleepy Hollow) , DEC ID # 3-5534-00104).
- (b). 425 tons per year of NOx ERCs from Con Edison in Astoria, DEC ID # 2-6301-00006.
- (c). 145 tons per year of CO ERCs from Con Edison in Astoria, DEC ID # 2-6301-00006.

The Monitoring Frequency is single occurrence and the Reporting Requirement is once/batch or monitoring occurrence.

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Condition # 69 for 40 CFR 52.21, Subpart A: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Recordkeeping/Maintenance Procedures for CEM (Continuous Emission Monitoring). Prevention of Significant Deterioration (PSD) is required for this facility because this facility is located in an attainment area and emits pollutants which are listed in 40 CFR 52.21(b)(23)(i). This condition requires the Astoria Energy to submit quarterly written CEM report to NYSDEC. The Monitoring Frequency is as required (submit quarterly written CEM report) and the Reporting Requirement is quarterly.

Condition # 70 for 40 CFR 60.48c(a), NSPS Subpart Dc: This condition is an emission unit level condition that applies to EU: U-00001. This condition is for Recordkeeping/Maintenance Procedures for NSPS. This is a reporting and recordkeeping requirement of NSPS (New Source Performance Standards) for Emission Unit U-00001 (the four turbines and the auxiliary boiler). This regulation requires the owner and operator of each affected facility to submit notification of the date of construction or reconstruction, anticipated startup, and actual startup of the facility. The notification must include: the design heat input capacity and identification of fuels to be combusted, if applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c, or 40 CFR 60.43c and the annual capacity factor at which the owner or operator anticipates operating based on all fuels fired and based on each individual fuel fired. The Monitoring Frequency is single occurrence and the reporting requirement is as required in the monitoring description (submit the notification of NSPS).

Condition # 73 for 6 NYCRR 227-1.3(a): This condition is an emission unit level and emission point level monitoring condition that applies to EU: U-00001 and EP: 00004. This condition is for Monitoring of Process or Control Device Parameters as Surrogate for opacity. This condition prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity. This condition requires a daily inspection for visible emissions. If visible emissions are noted for two consecutive days, a Method 9 test must be performed. The Monitoring Frequency is as required in the monitoring description (to comply with the 20% opacity limit) and the Reporting Requirement is semi-annually(calendar).

Condition # 74 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and emission point level recordkeeping and reporting condition that applies to EU: U-00001 and EP: 00004. This condition is for Recordkeeping/Maintenance Procedures for PSD. Prevention of Significant Deterioration (PSD) is required for this facility because this facility is located in an attainment area and emits pollutants which are listed in 40 CFR 52.21(b)(23)(i). This condition requires the Astoria Energy to submit quarterly reports for monitoring the sulfur content in the distillate fuel oil. The sulfur content is not to exceed 0.033 percent by weight. The sulfur content limit in the natural gas is as stated in Condition # 83 as 20 grains. The Monitoring Frequency is as required (recordkeeping and reporting of the sulfur content in the natural gas and the distillate fuel) and the Reporting Requirement is quarterly (calendar).

Condition # 1-4 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and emission point level condition that applies to EU: U-00001 and EP: 00004. This condition is for Work Practice Involving Specific Operations for Particulates. Prevention of Significant Deterioration (PSD) is required for this facility because this facility is located in an attainment area and emits pollutants which are listed in 40 CFR 52.21(b)(23)(i). The facility is limiting the Particulates in number 2 fuel oil to 582,000 pounds

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per year.

Astoria Energy will demonstrate compliance with the annual Particulates emission rate using stack testing results and fuel consumption data. The twelve-month rolling total will be recorded monthly. Astoria Energy will burn natural gas as the primary fuel with distillate fuel oil as a backup fuel.

Condition # 1-5 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and emission point level condition that applies to EU: U-00001 and EP: 00004. This condition is for Work Practice Involving Specific Operations for Particulates. Prevention of Significant Deterioration (PSD) is required for this facility because this facility is located in an attainment area and emits pollutants which are listed in 40 CFR 52.21(b)(23)(i). The facility is limiting the PM-10 in number 2 fuel oil to 582,000 pounds per year.

Astoria Energy will demonstrate compliance with the annual PM-10 emission rate using stack testing results and fuel consumption data. The twelve-month rolling total will be recorded monthly. Astoria Energy will burn natural gas as the primary fuel with distillate fuel oil as a backup fuel.

Condition # 1-6 for 40 CFR 60.47a(c), NSPS Subpart Da: This condition is an emission unit level and emission point level condition that applies to EU: U-00001 and EP: 00004. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. This condition requires the owner or operator of an affected facility to install, calibrate, maintain, and operate a continuous monitoring system, and to record the output of the system, for measuring nitrogen oxides emissions discharged to the atmosphere.

Astoria Energy will use a continuous emissions monitoring system (CEMS) to measure NOx concentration in pounds per million Btus at Emission Point 00004 and Emission Unit U-00001 (from the combustion turbines and the auxiliary boiler). The limit of NOx is 0.20 pounds per million Btus

Condition # 1-7 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Continuous Emission Monitoring System (CEMS) for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Carbon Monoxide in the stack from the gas turbine/HRSG. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 7.77 pounds per hour limit during natural gas firing in the gas turbines with duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-8 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Continuous Emission Monitoring System (CEMS) for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Oxides of Nitrogen in the stack from the gas turbine/HRSG. A selective catalytic reduction unit is used to control NOx emissions below the 17.0 pounds per hour limit during natural gas firing in the gas turbines with duct burner. The Monitoring Frequency is continuous

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and the Reporting Requirement is quarterly.

Condition # 1-9 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Net emission increase determination. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 5.92 pounds per hour VOC emission limit during natural gas firing in the turbines with duct burner. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 75 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Net emission increase determination. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 0.003 lb/mm Btu VOC emission limit during natural gas firing in the turbines with duct burner. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 76 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Carbon Monoxide in the stack from the gas turbine/HRSG. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 1.5 parts per million by volume limit during natural gas firing in the gas turbines with duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 77 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Oxides of Nitrogen in the stack from the gas turbine/HRSG. A selective catalytic reduction unit is used to control NOx emissions below the 2 parts per million by volume limit during natural gas firing in the gas turbines with duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

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Condition # 1-10 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. The facility will show compliance with PM-10 emission by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 emission from the turbines with duct burner firing natural gas is limited to 0.0098 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-11 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. The facility will show compliance with PM-10 emission by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 emission from the turbines with duct burner firing natural gas is limited to 18.0 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-12 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Continuous Emission Testing (CEM) for Ammonia. Best Available Control Technology (BACT) is required for this facility. A CEMS (Continuous Emission Monitoring System) is used to monitor emissions of Ammonia from the turbines with duct burner firing natural gas. The turbines are to maintain emissions of Ammonia below 15.7 pounds per hour. Astoria Energy will control Ammonia emission through proper operation and control of the selective catalytic reduction (SCR). Control of the Ammonia feed rate will be based on the NO_x and fuel flow. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-13 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. The facility will show compliance with Particulates emission by conducting an Intermittent Emission Testing (stack testing) for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates emission from the turbines with duct burner firing natural gas is limited to 0.0098 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-14 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. The facility will show compliance with Particulates emission by conducting an Intermittent Emission Testing (stack testing) for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates emission from the turbines with duct burner firing natural gas is limited to 18.0 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or

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monitoring occurrence.

Condition 1-15 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for Sulfuric Acid. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfuric Acid emission by conducting an Intermittent Emission Testing (stack testing) for Sulfuric Acid once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfuric Acid emission from the turbines with duct burner firing natural gas is limited to 2.37 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 78 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Continuous Emission Testing (CEM) for Ammonia. Best Available Control Technology (BACT) is required for this facility. A CEMS (Continuous Emission Monitoring System) is used to monitor emissions of Ammonia from the turbines with duct burner firing natural gas. The turbines are to maintain emissions of Ammonia below 5 parts per million by volume, dry, corrected to 15% oxygen. Astoria Energy will control Ammonia emission through proper operation and control of the selective catalytic reduction (SCR). Control of the Ammonia feed rate will be based on the NOx and fuel flow. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 80 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Intermittent Emission Testing for Sulfuric Acid. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfuric Acid emission by conducting an Intermittent Emission Testing (stack testing) for Sulfuric Acid once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfuric Acid emission from the turbines with duct burner firing natural gas is limited to 0.001 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 83 for 40 CFR 60.334(b), NSPS Subpart GG: This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P01. This condition is for Monitoring of Process or Control Device Parameters as Surrogate for Sulfur Dioxide. This condition is for natural gas sulfur content monitoring requirement. This condition requires the owner/operator of the gas turbine to monitor (measure) the sulfur content of the natural gas being fired in the turbines. This is a monitoring condition for the sulfur content in the natural gas used in the turbines with duct burner firing natural gas not to exceed the limit of 20 grains. The Monitoring Frequency is as required in the monitoring description (EPA's approval of the custom fuel monitoring schedule for testing the natural gas sulfur content) and the Reporting Requirement is quarterly (calendar).

Condition 1-16 for 6 NYCRR 227-2.4(c): This condition is an emission unit level, emission point level, process level and emission source condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Oxides of Nitrogen. The NOx emission limit under the NOx RACT plan for mid-size boilers is 0.011 pounds per million Btus during natural

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gas firing in the auxiliary boiler.

To comply with this Subpart, emission requirements for mid-size boilers (boilers with a heat input between 50 and 100 mmBtu/hr), owners or operators of a mid-size boiler must meet the requirements of either paragraph (1) or (2) of this subdivision. Astoria Energy is required to initially stack test the mid-size boiler for NOx emission limit compliance.

To comply with this Subpart, owners or operators of mid-size boilers must meet the requirements of either paragraph (1) or (2) of this subdivision by May 31, 1995. The emission limit for NOx RACT for mid-size boiler (between 50 and 100 MM Btu/hr) operating on natural gas only is 0.10 pounds of NOx per million Btu. However, Astoria Energy is required to comply with LAER, for which the NOx emission limit is 0.011 lbs/MM Btu rather than the 0.10 lbs/MM Btu limit under the NOx RACT plan for mid-size boilers.

Compliance with the 0.011 lbs/MM Btu emission limit shall be determined with a one hour average in accordance with section 227-2.6(a)(4) of this Subpart unless the owner/operator opts to utilize CEMS under the provisions of section 227-2.6(a)(2) of this Subpart. If CEMS are utilized, the requirements of section 227-2.6(b) of this Subpart apply, including the use of a 24 hour averaging period.

Condition # 84 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC in the stack from the auxiliary boiler once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst is used to control the VOC emissions below the 0.002 lb/mm Btu limit during natural gas firing in the auxiliary boiler. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 85 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. Astoria Energy will show compliance with Oxides of Nitrogen emission by conducting an Intermittent Emission Testing (stack testing) for Oxides of Nitrogen in the stack from the auxiliary boiler once during the term of the permit and the results to be submitted to NYSDEC thereafter. A selective catalytic reduction unit is used to control NOx mass emission rate below the 1.09 pounds per hour limit during natural gas firing in the auxiliary boiler. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 86 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate

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(LAER) is required to control the Carbon Monoxide emission. Astoria Energy will show compliance with Carbon Monoxide emission by conducting an Intermittent Emission Testing (stack testing) for Carbon Monoxide once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Carbon Monoxide emission must be maintained below the 0.020 lb/mmBtu limit from the auxiliary boiler firing natural gas. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 87 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. Astoria Energy will show compliance with Oxides of Nitrogen emission by conducting an Intermittent Emission Testing (stack testing) for Oxides of Nitrogen in the stack from the auxiliary boiler once during the term of the permit and the results to be submitted to NYSDEC thereafter. A selective catalytic reduction unit is used to control NOx emission below the 0.011 lb/mm Btu limit during natural gas firing in the auxiliary boiler. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 88 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC in the stack from the auxiliary boiler once during the term of the permit and the results to be submitted to NYSDEC thereafter. The VOC mass emission rate must be maintained below the 0.20 pounds per hour limit during natural gas firing in the auxiliary boiler. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 89 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. Astoria Energy will show compliance with Carbon Monoxide emission by conducting an Intermittent Emission Testing (stack testing) for Carbon Monoxide once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Carbon Monoxide mass emission rate must be maintained below the 1.98 pounds per hour limit from the auxiliary boiler firing natural gas. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 90 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Recordkeeping/Maintenance Procedures. Best Available Control Technology (BACT) is required for this facility. This is a condition for the auxiliary boiler not to operate below 50 % load. The Monitoring Frequency is continuous and the Reporting

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Requirement is quarterly.

Condition # 91 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. The facility will show compliance with Particulates emission by conducting an Intermittent Emission Testing (stack testing) on the auxiliary boiler for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates emission from the auxiliary boiler firing natural gas is limited to 0.005 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 92 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 emission by conducting an Intermittent Emission Testing (stack testing) on the auxiliary boiler for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 emission from the auxiliary boiler firing natural gas is limited to 0.005 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 93 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 mass emission rate limit of 0.495 pounds per hour by conducting an Intermittent Emission Testing (stack testing) on the auxiliary boiler for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 mass emission rate from the auxiliary boiler firing natural gas is limited to 0.495 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 94 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00001, EP: 00004, Proc: P05 and ES: BOIL1. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Particulates mass emission rate limit of 0.495 pounds per hour by conducting an Intermittent Emission Testing (stack testing) on the auxiliary boiler for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates mass emission rate from the auxiliary boiler firing natural gas is limited to 0.495 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-17 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to

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control the Oxides of Nitrogen emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Oxides of Nitrogen in the stack from the gas turbine/HRSG. A selective catalytic reduction unit is used to control NO_x emissions below the 48.5 pounds per hour limit during distillate fuel oil firing in the turbines based upon high heating value (HHV) of fuel. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-18 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC in the stack from the turbines once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst in the HRSG design of each turbine is used to control the VOC emissions below the 14.1 pounds per hour limit during distillate fuel oil firing in the turbines. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-19 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Carbon Monoxide in the stack from the turbines/HRSG firing distillate fuel oil. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 19.7 pounds per hour limit during natural gas firing in the gas turbines with duct firing based on the HHV of fuel. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 95 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Carbon Monoxide in the stack from the turbines/HRSG firing distillate fuel oil. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 4 parts per million by volume limit during natural gas firing in the gas turbines with duct firing based on the HHV of fuel. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 96 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC in the stack from the turbines once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst in the HRSG design of each turbine is used to control the VOC emissions below the 0.007 lb/mm Btu limit during distillate fuel oil firing in the turbines. The Monitoring Frequency is once during the term of the

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permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 97 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Oxides of Nitrogen in the stack from the gas turbine/HRSG. A selective catalytic reduction unit is used to control NOx emissions below the 6 parts per million by volume limit during distillate fuel oil firing in the turbines based upon high heating value (HHV) of fuel. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-20 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Continuous Emission Monitoring (CEM) for Ammonia. Best Available Control Technology (BACT) is required for this facility. A CEMS (Continuous Emission Monitoring System) is used to monitor emissions of Ammonia from the turbines with duct burner firing distillate fuel oil. The turbines are to maintain mass emission rate limit for Ammonia below 14.9 pounds per hour. Astoria Energy will control Ammonia emission through proper operation and control of the selective catalytic reduction (SCR). Control of the Ammonia feed rate will be based on the NOx and fuel flow. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 98 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for Sulfur Dioxide. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfur Dioxide emission by conducting an Intermittent Emission Testing (stack testing) for Sulfur Dioxide once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfur Dioxide mass emission rate from the turbines firing distillate fuel oil is limited to 69.6 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 99 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Continuous Emission Monitoring (CEM) for Ammonia. Best Available Control Technology (BACT) is required for this facility. A CEMS (Continuous Emission Monitoring System) is used to monitor emissions of Ammonia from the turbines with duct burner firing distillate fuel oil. The turbines are to maintain emissions of Ammonia below 5 parts per million by volume, dry, corrected to 15% oxygen. Astoria Energy will control Ammonia emission through proper operation and control of the selective catalytic reduction (SCR). Control of the Ammonia feed rate will be based on the NOx and fuel flow. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 100 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Particulates mass

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emission rate limit by conducting an Intermittent Emission Testing (stack testing) for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates mass emission rate from the turbines firing distillate fuel oil is limited to 57.7 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 101 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 mass emission rate limit by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 mass emission rate from the turbines firing distillate fuel oil is limited to 57.7 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 102 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for Sulfuric Acid. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfuric Acid mass emission rate limit by conducting an Intermittent Emission Testing (stack testing) for Sulfuric Acid once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfuric Acid mass emission rate from the turbines with duct burner firing distillate fuel oil is limited to 21.9 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 103 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 emission by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 emission from the turbines firing distillate fuel oil is limited to 0.04 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 104 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Intermittent Emission Testing for Sulfuric Acid. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfuric Acid emission limit by conducting an Intermittent Emission Testing (stack testing) for Sulfuric Acid once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfuric Acid emission from the turbines with duct burner firing distillate fuel oil is limited to 0.0152 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 105 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This

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condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Particulates emission by conducting an Intermittent Emission Testing (stack testing) for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates emission from the turbines firing distillate fuel oil is limited to 0.04 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 107 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Work Practice Involving Specific Operations for hours per year operation. Astoria Energy will burn distillate fuel as a back up fuel. The distillate fuel will have a sulfur limit of 0.033 % by weight for up to 720 hours per year per turbine. The Monitoring Frequency is daily and the Reporting Requirement is quarterly.

Condition # 1-21 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Carbon Monoxide in the stack from the gas turbine/HRSG. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 7.15 pounds per hour limit during natural gas firing in the gas turbines without duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-22 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC in the stack from the turbines once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst in the HRSG design of each turbine is used to control the VOC emissions below the 5.43 pounds per hour limit during natural gas firing without duct firing in the turbines. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-23 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Oxides of Nitrogen in the stack from the gas turbine/HRSG. A selective catalytic reduction unit is used to control NOx emissions below the 15.6 pounds per hour limit during natural gas firing in the gas turbines with duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 108 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point

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level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds (VOC) emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC in the stack from the turbines once during the term of the permit and the results to be submitted to NYSDEC thereafter. An oxidation catalyst in the HRSG design of each turbine is used to control the VOC emissions below the 0.003 lb/mm Btu limit during natural gas firing without duct firing in the turbines. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 109 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Oxides of Nitrogen in the stack from the gas turbine/HRSG. A selective catalytic reduction unit is used to control NOx emissions below the 2 parts per million by volume limit during natural gas firing in the gas turbines with duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 110 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. A Continuous Emission Monitoring System (CEMS) is used to monitor emissions of Carbon Monoxide in the stack from the gas turbine/HRSG. An oxidation catalyst in the HRSG design of each turbine must be operated and emissions maintained below the 1.5 parts per million by volume limit during natural gas firing in the gas turbines without duct burner. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-24 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for Sulfuric Acid. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfuric Acid emission by conducting an Intermittent Emission Testing (stack testing) for Sulfuric Acid once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfuric Acid emission from the turbines without duct burner firing natural gas is limited to 0.90 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-25 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Ammonia. Best Available Control Technology (BACT) is required for this facility. A CEMS (Continuous Emission Monitoring System) is used to monitor emissions of Ammonia from the turbines without duct burner firing distillate fuel oil. The turbines are to maintain mass emission rate limit for Ammonia below 14.1 pounds per hour. Astoria

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Energy will control Ammonia emission through proper operation and control of the selective catalytic reduction (SCR). Control of the Ammonia feed rate will be based on the NOx and fuel flow. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 1-26 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Particulates emission by conducting an Intermittent Emission Testing (stack testing) for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates emission from the turbines without duct firing natural gas is limited to 0.0098 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 1-27 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 emission by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 emission from the turbines without duct firing natural gas is limited to 0.0098 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 113 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for Sulfuric Acid. This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Oxides of Nitrogen. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Sulfuric Acid emission by conducting an Intermittent Emission Testing (stack testing) for Sulfuric Acid once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Sulfuric Acid emission from the turbines without duct burner firing natural gas is limited to 0.001 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 114 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Continuous Emission Monitoring (CEM) for Ammonia. Best Available Control Technology (BACT) is required for this facility. A CEMS (Continuous Emission Monitoring System) is used to monitor emissions of Ammonia from the turbines without duct burner firing distillate fuel oil. The turbines are to maintain emissions of Ammonia below 5 parts per million by volume, dry, corrected to 15% oxygen. Astoria Energy will control Ammonia emission through proper operation and control of the selective catalytic reduction (SCR). Control of the Ammonia feed rate will be based on the NOx and fuel flow. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 115 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission

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point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 mass emission rate limit by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 mass emission rate from the turbines without duct firing natural gas is limited to 12.9 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 116 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P11. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Particulates mass emission rate limit by conducting an Intermittent Emission Testing (stack testing) for Particulates once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates mass emission rate from the turbines without duct firing natural gas is limited to 12.9 pounds per hour. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence.

Condition # 118 for 40 CFR 60.48c(a), NSPS Subpart Dc: This condition is an emission unit level condition that applies to EU: U-00002. This condition is for Recordkeeping/Maintenance Procedures for NSPS. This is a reporting and recordkeeping requirement of NSPS (New Source Performance Standards) for Emission Unit U-00002 (the diesel fire pump). This regulation requires the owner and operator of each affected facility to submit notification of the date of construction or reconstruction, anticipated startup, and actual startup of the facility. The notification must include: the design heat input capacity and identification of fuels to be combusted, if applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c, or 40 CFR 60.43c and the annual capacity factor at which the owner or operator anticipates operating based on all fuels fired and based on each individual fuel fired. The Monitoring Frequency is single occurrence and the reporting requirement is as required in the monitoring description (submit the notification of NSPS).

Condition # 119 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00002, EP: 00005, Proc: P22 and ES:00DFP. This condition is for Intermittent Emission Testing for Oxides of Nitrogen. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Oxides of Nitrogen emission. Astoria Energy will show compliance with Oxides of Nitrogen emission by conducting an Intermittent Emission Testing (stack testing) for Oxides of Nitrogen once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Oxides of Nitrogen emission must be maintained below the 3.44 lb/mm Btu limit from the fire pump firing diesel fuel oil. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence. The stack test for Oxides of Nitrogen is an initial stack testing that will be performed only once during the life of this fire pump. The facility can be excused from performing this stack test only if the facility supplies NYSDEC with the make, model and the manufacturer's Oxides of Nitrogen emission guarantee for the fire pump that is acceptable to the department and will become part of this Title V permit.

Condition # 120 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point

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level, process level and emission source level condition that applies to EU: U-00002, EP: 00005, Proc: P22 and ES:00DFP. This condition is for Intermittent Emission Testing for Carbon Monoxide. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Carbon Monoxide emission. Astoria Energy will show compliance with Carbon Monoxide emission by conducting an Intermittent Emission Testing (stack testing) for Carbon Monoxide once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Carbon Monoxide emission must be maintained below the 0.18 lb/mm Btu limit from the fire pump firing diesel fuel oil. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence. The stack test for Carbon Monoxide is an initial stack testing that will be performed only once during the life of this fire pump. The facility can be excused from performing this stack test only if the facility supplies NYSDEC with the make, model and the manufacturer's Carbon Monoxide emission guarantee for the fire pump that is acceptable to the department and will become part of this Title V permit.

Condition # 121 for 6 NYCRR 231-2.7(b): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00002, EP: 00005, Proc: P22 and ES:00DFP. This condition is for Intermittent Emission Testing for VOC. The provisions of Subpart 231-2 apply to new or modified major facilities. Lowest Achievable Emission Rate (LAER) is required to control the Volatile Organic Compounds emission. Astoria Energy will show compliance with VOC emission by conducting an Intermittent Emission Testing (stack testing) for VOC once during the term of the permit and the results to be submitted to NYSDEC thereafter. The VOC emission must be maintained below the 0.11 lb/mmBtu limit from the fire pump firing diesel fuel oil. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence. The stack test for VOC is an initial stack testing that will be performed only once during the life of this fire pump. The facility can be excused from performing this stack test only if the facility supplies NYSDEC with the make, model and the manufacturer's VOC emission guarantee for the fire pump that is acceptable to the department and will become part of this Title V permit.

Condition # 122 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00002, EP: 00005, Proc: P22 and ES:00DFP. This condition is for Intermittent Emission Testing for PM-10. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with PM-10 emission by conducting an Intermittent Emission Testing (stack testing) for PM-10 once during the term of the permit and the results to be submitted to NYSDEC thereafter. The PM-10 emission from the fire pump firing diesel fuel oil is limited to 0.06 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence. The stack test for PM-10 is an initial stack testing that will be performed only once during the life of this fire pump. The facility can be excused from performing this stack test only if the facility supplies NYSDEC with the make, model and the manufacturer's PM-10 emission guarantee for the fire pump that is acceptable to the department and will become part of this Title V permit.

Condition # 123 for 40 CFR 52.21(j), Subpart (A): This condition is an emission unit level, emission point level, process level and emission source level condition that applies to EU: U-00002, EP: 00005, Proc: P22 and ES:00DFP. This condition is for Intermittent Emission Testing for Particulates. Best Available Control Technology (BACT) is required for this facility. Astoria Energy will show compliance with Particulates emission by conducting an Intermittent Emission Testing (stack testing) for Particulates

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once during the term of the permit and the results to be submitted to NYSDEC thereafter. The Particulates emission from the fire pump firing diesel fuel oil is limited to 0.06 lb/mm Btu. The Monitoring Frequency is once during the term of the permit and the Reporting Requirement is once/batch or monitoring occurrence. The stack test for Particulates is an initial stack testing that will be performed only once during the life of this fire pump. The facility can be excused from performing this stack test only if the facility supplies NYSDEC with the make, model and the manufacturer's Particulates emission guarantee for the fire pump that is acceptable to the department and will become part of this Title V permit.

Condition # 129 for 6 NYCRR 201-5.3(b): This condition is an emission unit level and emission point level condition that applies to EU: U-00001 and EP: 00004. This condition is for Recordkeeping/Maintenance Procedures. This condition is for the gas turbine to fire only natural gas and distillate oil. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 130 for 6 NYCRR 201-5.3(b): This condition is an emission unit level and emission point level condition that applies to EU: U-00001 and EP: 00004. This condition is for Recordkeeping/Maintenance Procedures. This is a condition for the gas turbines not to operate below 50% load, except during startup and shutdown. The Monitoring Frequency is continuous and the Reporting Requirement is quarterly.

Condition # 131 for 6 NYCRR 201-5.3(b): This condition is an emission unit level, emission point level and process level condition that applies to EU: U-00001, EP: 00004 and Proc: P10. This condition is for Work Practice Involving Specific Operations for distillate fuel oil. This is a condition for the total annual distillate fuel use not to exceed 41.6448 million gallons per year within any consecutive 365 day period for the gas turbines. The Monitoring Frequency is daily and the Reporting Requirement is quarterly.