Facility Identification Data
Name: POLETTI POWER PROJECT
Address: 31-03 20TH AVE
ASTORIA, NY 11105

Owner/Firm
Name: NEW YORK POWER AUTHORITY
Address: 123 MAIN ST
WHITE PLAINS, NY 10601, USA
Owner Classification: State

Permit Contacts
Division of Environmental Permits:
Name: ELIZABETH A CLARKE
Address: ONE HUNTERS POINT PLAZA
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
Phone:7184824997

Division of Air Resources:
Name: CICILY T NIRAPPEL
Address: HUNTERS POINT PLAZA
LONG ISLAND CITY, NY 11101
Phone:7184824944

Air Permitting Facility Owner Contact:
Name: KOLLI M RAO
Address: NEW YORK POWER AUTHORITY
123 MAIN STREET
WHITE PLAINS, NY 10601
Phone:9146816387

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 modification is to include Clean Air Interstate Rule (CAIR) conditions, recently promulgated under regulations 6 NYCRR Parts 243, 244,and 245.

Attainment Status
POLETTI POWER PROJECT 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
Facility consists of one 8,266 mmbtu/hr foster wheeler boiler, one auxiliary 217 mmbtu/hr foster wheeler boiler and associated exempt support activities.

Permit Structure and Description of Operations
The Title V permit for POLETTI POWER PROJECT 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 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.

POLETTI POWER PROJECT is defined by the following emission unit(s):
Emission unit U00001 - EMISSION UNIT U00001 REPRESENTS A 8,266 MMBTU/HR FOSTER WHEELER BOILER AND 217 MMBTU/HR FOSTER WHEELER PACKAGE AUXILIARY BOILER.
Emission unit U00001 is associated with the following emission points (EP):
00001, 00002
It is further defined by the following process(es):
Process: P01 is located at GROUND, Building BLDG. A - EQUIPMENT NO.E0001 REPRESENTS A 8,266 FOSTER WHEELER BOILER. PROCESS P01 FOR EMISSIONS UNIT U00001 REPRESENTS NATURAL GAS FIRING IN THE MAIN BOILER.
Process: P02 is located at GROUND, Building BLDG. A - EQUIPMENT NO E0001 REPRESENTS A 8,266 FOSTER WHEELER BOILER. PROCESS P02 FOR EMISSION UNIT U00001 REPRESENTS NO. 6 FUEL OIL FIRING ON THE MAIN BOILER. THE FACILITY IS ALSO PERMITTED TO FIRE SMALL QUANTITIES OF ON-SITE GENERATED WASTE OIL (WASTE LUBRICANTS , ENGINE OIL, DI-ELECTRIC FLUIDS; ALL GENERATED ON-SITE) WHICH IS BLENDED IN VERY SMALL QUANTITIES WITH THE NO. 6 FUEL OIL IN THE FUEL OIL DELIVERY/STORAGE SYSTEM PRIOR TO FIRING IN THE BOILER. WHEN BLENDED, FACILITY WILL SAMPLE AND ANALYZE THE OIL FOR EACH BATCH AND MEET ALL THE REQUIREMENTS OF 6 NYCRR 225-2. NYPA MUST MAINTAIN A DETAILED RECORD OF SUCH BLENDING AND REPORT TO NYSDEC ON QUARTERLY BASIS.
Process: P03 is located at GROUND, Building BLDG. A - EQUIPMENT NO E0001 REPRESENTS A 8,266 FOSTER WHEELER BOILER. PROCESS P03 FOR EMISSION UNIT U00001 REPRESENTS NO. 2 FUEL OIL FIRING ON THE MAIN BOILER.
Process: P04 is located at GROUND, Building BLDG. A - EQUIPMENT NO E0002 REPRESENTS A 217 MMBTU/HR FOSTER WHEELER AUXILIARY BOILER. PROCESS P04 FOR EMISSION UNIT U00001 REPRESENTS NO. 6 FUEL OIL FIRING ON THE AUX. BOILER. THE FACILITY IS ALSO PERMITTED TO FIRE SMALL QUANTITIES OF ON-SITE GENERATED WASTE OIL (WASTE LUBRICANTS, ENGINE OIL, DI-ELECTRIC FLUIDS; ALL GENERATED ON-SITE) WHICH IS BLENDED IN VERY SMALL QUANTITIES WITH THE NO. 6 FUEL OIL IN THE FUEL STORAGE/DELIVERY SYSTEM PRIOR TO FIRING IN THE BOILER. WHEN BLENDED, FACILITY WILL SAMPLE AND ANALYZE THE OIL FOR EACH BATCH AND MEET ALL THE REQUIREMENTS OF 6 NYCRR 225-2. NYPA MUST MAINTAIN A DETAILED RECORD OF SUCH BLENDING AND REPORT TO NYSDEC ON QUARTERLY BASIS.
Process: P05 is located at GROUND, Building BLDG. A - EQUIPMENT NO E0002 REPRESENTS A 217 MMBTU/HR FOSTER WHEELER AUXILIARY BOILER. PROCESS P05 FOR EMISSION UNIT U00001 REPRESENTS NO. 2 FUEL OIL FIRING ON THE AUX. BOILER.

Title V/Major Source Status
POLETTI POWER PROJECT is subject to Title V requirements. This determination is based on the following information:
The Charles Poletti Power Plant is a major facility because the potential emissions of carbon monoxide, nitrogen oxides, volatile organic compounds and sulfur dioxide are greater than the major source thresholds (100 tons/year for carbon monoxide, 25 tons/year for nitrogen oxides, 25 tons/year for volatile organic compounds, and 100 tons/year for sulfur dioxide). The facility-wide annual actual emissions for nitrogen oxides exceed 25 tons/year..

Program Applicability
The following chart summarizes the applicability of POLETTI POWER PROJECT with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability

PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	NO
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 (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

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 categorizeprocesses 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
1-01-004-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - RESIDUAL OIL Grade 6 Oil: Normal Firing
1-01-005-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-01-006-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - NATURAL GAS Boilers > 100 MBtu/Hr except Tangential

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 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
000075-07-0	ACETALDEHYDE		> 0 but < 10 tpy
000107-02-8	ACROLEIN		> 0 but < 10 tpy
007440-36-0	ANTIMONY		> 0 but < 10 tpy
007440-38-2	ARSENIC		> 0 but < 10 tpy
000071-43-2	BENZENE		> 0 but < 10 tpy
007440-41-7	BERYLLIUM		> 0 but < 10 tpy
007440-43-9	CADMIUM		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 250 tpy
007440-47-3	CHROMIUM		> 0 but < 10 tpy
007440-48-4	COBALT		> 0 but < 10 tpy
000100-41-4	ETHYLBENZENE		> 0 but < 10 tpy
000050-00-0	FORMALDEHYDE		> 0 but < 10 tpy
0NY100-00-0	HAP		>= 25 tpy but < 40 tpy
007439-92-1	LEAD		> 0 but < 10 tpy
007439-96-5	MANGANESE		> 0 but < 10 tpy
007439-97-6	MERCURY		> 0 but < 10 tpy
000091-20-3	NAPHTHALENE		> 0 but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS		>= 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 250 tpy
0NY075-00-0	PARTICULATES		>= 250 tpy
007723-14-0	PHOSPHORUS (YELLOW)		> 0 but < 10 tpy
0NY075-00-5	PM-10		>= 250 tpy
000075-56-9	PROPANE, 1,2-EPOXY-		> 0 but < 10 tpy
007782-49-2	SELENIUM		> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE		>= 250 tpy
000108-88-3	TOLUENE		> 0 but < 10 tpy
0NY998-00-0	VOC		>= 100 tpy but < 250 tpy
001330-20-7	XYLENE, M, O & P MIXT.		> 0 but < 10 tpy

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.

(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** 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;

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.

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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY		52	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 68	20	Chemical accident prevention provisions
FACILITY	40CFR 72	38	
FACILITY	40CFR 82-F	21	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	
FACILITY	6NYCRR 201-1.4	53	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	
FACILITY	6NYCRR 201-1.8	22	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	12	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	13	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	23, 39, 40	Title V Permits and the

			Associated Permit Conditions
FACILITY	6NYCRR 201-6.5(a)(4)	14	
FACILITY	6NYCRR 201-6.5(a)(7)	3	
FACILITY	6NYCRR 201-6.5(a)(8)	15	
FACILITY	6NYCRR 201-6.5(c)	4	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(2)	5	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(3)	24	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(3)(ii	2	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(d)(5)	16	
FACILITY	6NYCRR 201-6.5(e)	6	
FACILITY	6NYCRR 201-6.5(f)(6)	17	
FACILITY	6NYCRR 202-1.1	18	
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 204-2.1	25	Authorization and Responsibilities of the NOx Authorized Account Representative
FACILITY	6NYCRR 204-4.1	26	Compliance Certification Report
FACILITY	6NYCRR 204-7.1	27	Submission of NOx Allowance Transfers
FACILITY	6NYCRR 204-8.1	28	
FACILITY	6NYCRR 204-8.2	29, 30	Initial Certification and Recertification Procedures
FACILITY	6NYCRR 204-8.3	31	
FACILITY	6NYCRR 204-8.4	32	
FACILITY	6NYCRR 204-8.7	33	Additional Requirements to Provide Heat Input Data for Allocations Purposes
FACILITY	6NYCRR 211.2	54	General Prohibitions - air pollution prohibited.
FACILITY	6NYCRR 211.3	19	General Prohibitions - visible emissions limited
FACILITY	6NYCRR 215	9	
FACILITY	6NYCRR 221.2	55	
FACILITY	6NYCRR 225.1(a)(3)	36, 37	Sulfur in Fuel Limitations (SIP)
FACILITY	6NYCRR 225-1.2(a)(2)	56	Sulfur in Fuel Limitations Post 12/31/87.
FACILITY	6NYCRR 225-1.2(d)	57	Sulfur-in-fuel limitations - Table 2
FACILITY	6NYCRR 225-2.4(a)	34	Eligibility to burn waste fuels A and B.
FACILITY	6NYCRR 225-2.7(a)(1)	35	Reports, sampling and analysis of waste fuels A and B.
U-00001	6NYCRR 227.2(b)(1)	43	
U-00001/-/P01	6NYCRR 227-1.2(a)(1)	44	Particulate Emissions from Liquid Fuels.
U-00001/-/P02	6NYCRR 227-1.2(a)(1)	46	Particulate Emissions from Liquid Fuels.
U-00001/-/P03	6NYCRR 227-1.2(a)(1)	48	Particulate Emissions from Liquid Fuels.

U-00001	6NYCRR 227-1.3	41	Smoke Emission Limitations.
U-00001	6NYCRR 227-1.3(a)	42	Smoke Emission Limitations.
U-00001/-/P01/E0001	6NYCRR 227-2.4(a)(1)	45	Control requirements for very large boilers.
U-00001/-/P02/E0001	6NYCRR 227-2.4(a)(1)	47	Control requirements for very large boilers.
U-00001/-/P03/E0001	6NYCRR 227-2.4(a)(1)	49	Control requirements for very large boilers.
U-00001/-/P04/E0002	6NYCRR 227-2.4(b)(1)	50	Control Requirements for large boilers which are not case by case.
U-00001/-/P05/E0002	6NYCRR 227-2.4(b)(1)	51	Control Requirements for large boilers which are not case by case.
FACILITY	6NYCRR 243-1.6(a)	1 -1	Permit Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6(b)	1 -2	Monitoring Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6(c)	1 -3	NOx Ozone Season Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6(d)	1 -4	Excess Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6(e)	1 -5	Recordkeeping and reporting requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-2.1	1 -6	Authorization and responsibilities - CAIR Designated Representative
FACILITY	6NYCRR 243-2.4	1 -7	Certificate of representation - CAIR Designated Representative
FACILITY	6NYCRR 243-8.1	1 -8, 1 -9	General Requirements - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5(d)	1 -10	Quarterly reports re: recordkeeping and reporting - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5(e)	1 -11	Compliance certification re: recordkeeping and reporting - Monitoring and Reporting
FACILITY	6NYCRR 244-1	1 -12, 1 -13	CAIR NOx Ozone Annual Trading Program General Provisions
FACILITY	6NYCRR 244-2	1 -14	CAIR Designated Representative for CAIR NOx Sources
FACILITY	6NYCRR 244-8	1 -15	Monitoring and Reporting CAIR NOx Allowances
FACILITY	6NYCRR 245-1	1 -16	CAIR SO2 Trading Program General Provisions
FACILITY	6NYCRR 245-2	1 -17	CAIR Designated Representative for CAIR SO2 Sources
FACILITY	6NYCRR 245-8	1 -18	Monitoring and Reporting for CAIR SO2 Trading Program

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 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 201-6
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 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)
This regulation specifies that the permit incorporate all reporting requirements associated with an applicable federal rule, the submittal of any required monitoring reports at least every 6 months, and 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 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 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 there 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 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, POLETTI POWER PROJECT has been determined to be subject to the following regulations:

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 NOx (sulfer dioxide and oxides of nitrogen). Fossil fuel burning electric utility companies are a major source of these contaminants in the US. These sources where 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 204-2.1
This condition states the submission requirements for the NOx Budget Trading Program. The Program is designed to mitigate the interstate transport of ground level ozone and nitrogen oxides, a ground level ozone precursor.

6NYCRR 204-4.1
This condition covers the compliance certification report requirements for the NOx Budget Program.

6NYCRR 204-7.1
This condition lists the requirements for transfer of allowances in the NOx Budget Program.

6NYCRR 204-8.1
This condition lists the general requirements for the NOx Budget trading program. They include, but are not limited to monitoring requirements, certification, record keeping and reporting.

6NYCRR 204-8.2

This condition covers the procedures for initially certifying and recertifying the monitoring systems of the unit meet the requirements of the NOx Budget Program

6NYCRR 204-8.3
This condition states the requirements for data substitution during times when the monitoring systems to not meet applicable quality assurance requirements.

6NYCRR 204-8.4
This condition lists the addresses where monitoring plans and their modifications, compliance certifications, recertifications, quarterly QA/QC reports and petitions for alternative monitoring shall be sent.

6NYCRR 204-8.7
This condition is a requirement for monitoring and reporting if a particular monitoring scenario is utilitzed.

6NYCRR 221 .2
No person shall engage in or allow surface coating by the spraying of asbestos or asbestos-containing materials.

6NYCRR 225 .1 (a) (3)
This regulation limits the amount of sulfur that can be in fuel burned at a stationary source. It references Table 1 of the 1979 version of the sulfur in fuel limitations expressed in terms of percent by weight for fuel oil and pounds per million Btu gross heat content for solid fuel. **NOTE: This citation has been replaced by requirements cited under 225-1.2(a)(2) and is no longer part of current State regulations, however, it remains part of New York State's approved State Implementation Plan (SIP).**

6NYCRR 225-1.2 (a) (2)
This regulation prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations set forth in Table 1, Table 2, or Table 3 of this section.

6NYCRR 225-1.2 (d)
The sulfur-in-fuel limitations for residual and distillate oil and for solid fuel are listed in Tables 1,2 and 3 or 6 NYCRR Part 225-1.2(c), (d) and (e)

6NYCRR 225-2.4 (a)
This regulation allows a source owner or operator to burn Waste Fuels A or B at their facility, provided the following information is submitted and is acceptable to the Department:

1. a demonstration that the emissions will not be above the ambient air quality standards
2. an analysis of the fuel to be burned is submitted and accepted by the Department
3. a demonstration of compliance with 40 CFR Part 761 regarding the PCB level in the fuel.

6NYCRR 225-2.7 (a) (1)
This regulation requires that all waste fuel received by sampled and analyzed.

6NYCRR 227 .2 (b) (1)
This regulation is from the 1972 version of Part 227 and still remains as part of New York's SIP. The rule establishes a particulate limit of 0.10 lbs/mmBtu based on a 2 hour average emission for any oil fired stationary combustion installation.

6NYCRR 227-1.2 (a) (1)
This regulation establishes a particulate emission limit in terms of lbs per mmBtu of heat input for stationary combustion units of greater than 250 mmBtu/hr heat input capacity which fire coal, oil, or coal derived fuels.

6NYCRR 227-1.3
This regulation requires a limitation and compliance monitoring for opacity from a stationary combustion installation.

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 (a) (1)
This condition lists the emission limitations for very large boilers.

6NYCRR 227-2.4 (b) (1)
This paragraph provides a table for gas only, gas and/or oil firing capable, pulverized coal, and overfeed stoker emission limits. Compliance is determined by a stack test.

6NYCRR 243-1.6 (a)
This condition requires the facility to acknowledge that they are subject to this CAIR regulation and provide owner and contact information. It also requires them to update this information as it changes or provide supplemental information at the Departments request.

6NYCRR 243-1.6 (b)
This condition obligates the owners and operators of the facility to comply with the monitoring and reporting requirements of the CAIR regulations.

6NYCRR 243-1.6 (c)
This citation explains the general provisions of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program. This ozone season NOx cap and trade program runs from May 1 through September 30 each year, starting in 2009. Each source shall hold a tonnage equivalent in CAIR NOx Ozone Season allowances that is not less than the total tons of NOx emissions for the ozone season.

6NYCRR 243-1.6 (d)
This citation for the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains some of the penalties that can be imposed on a CAIR NOx Ozone Season source that does not surrender enough CAIR NOx Ozone Season allowances to cover their NOx Ozone Season emissions.

6NYCRR 243-1.6 (e)
This citation for the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program requires that all reports be submitted as required by this program, and that copies of all records and submissions made for this program be kept on site for at least five years.

6NYCRR 243-2.1
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains that an CAIR NOx Ozone Season designated representative must be selected to submit, sign and certify each submission on behalf of the source for the this program.

6NYCRR 243-2.4
This condition describes the required elements of the "Certificate of Representation" for the CAIR program and the certifying language required with submissions to the Department.

6NYCRR 243-8.1
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains that CAIR NOx

Ozone Season Trading Program sources must install, certify and operate monitoring systems the meet the monitoring, recordkeeping, and reporting requirements in Subpart 6 NYCRR 243-8 and in Subpart H of 40 CFR Part 75.

6NYCRR 243-8.5 (d)
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains the what requirements the quarterly reports must meet.

6NYCRR 243-8.5 (e)
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains the compliance certification requirements the source must follow for each quarterly report.

6NYCRR 244-1
This subpart explains the general provisions of the Clean Air Interstate Rule (CAIR) Nitrogen Oxide (NOx) Annual Trading Program. The control period for this annual NOx cap and trade program runs from January 1 to December 31each year, starting in 2009. Each source shall hold a tonnage equivalent in CAIR NOx allowances that is not less than the total tons of NOx emissions for the control period.

6NYCRR 244-2
Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative. Each submission for the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative or the alternate representative.

6NYCRR 244-8
The owners, operators, and Clean Air Interstate Rule (CAIR) designated representative of a CAIR NOx unit shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in 40 CFR Part 75, Subparts F and G. A certified NOx emission monitoring system must be used to measure NOx emissions. NOx emission reports must be certified and submitted quarterly.

6NYCRR 245-1
This subpart explains the general provisions of the Clean Air Interstate Rule (CAIR) sulfur dioxide (SO2) Trading Program. The control period for this annual SO2 cap and trade program runs from January 1 to December 31, starting in the year 2010. Each source shall hold a tonnage equivalent in CAIR SO2 allowances that is not less than the total tons of SO2 emissions for the control period.

6NYCRR 245-2
Each Clean Air Interstate Rule (CAIR) SO2 source shall have one CAIR designated representative and may have one alternate representative. Each submission for the CAIR SO2 Trading Program shall be submitted, signed, and certified by the CAIR designated representative or the alternate representative.

6NYCRR 245-8
The owners, operators, and Clean Air Interstate Rule (CAIR) designated representative of a CAIR SO2 unit shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. A certified SO2 emission monitoring system must be used to measure SO2 emissions. SO2 emission reports must be certified and submitted quarterly..

Compliance Certification
Summary of monitoring activities at POLETTI POWER PROJECT:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	24	record keeping/maintenance procedures
FACILITY	2	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
FACILITY	30	record keeping/maintenance procedures
FACILITY	32	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
FACILITY	36	work practice involving specific operations
FACILITY	37	work practice involving specific operations
FACILITY	56	work practice involving specific operations
FACILITY	57	work practice involving specific operations
FACILITY	34	record keeping/maintenance procedures
FACILITY	35	record keeping/maintenance procedures
U-00001	43	intermittent emission testing
U-00001/-/P01	44	intermittent emission testing
U-00001/-/P02	46	intermittent emission testing
U-00001/-/P03	48	intermittent emission testing
U-00001	41	continuous emission monitoring (cem)
U-00001	42	monitoring of process or control device parameters as surrogate
U-00001/-/P01/E0001	45	continuous emission monitoring (cem)
U-00001/-/P02/E0001	47	continuous emission monitoring (cem)
U-00001/-/P03/E0001	49	continuous emission monitoring (cem)
U-00001/-/P04/E0002	50	continuous emission monitoring (cem)
U-00001/-/P05/E0002	51	continuous emission monitoring (cem)
FACILITY	1-15	record keeping/maintenance procedures
FACILITY	1-18	record keeping/maintenance procedures

Basis for Monitoring

This permit modification includes conditions recently promulgated under regulations 6 NYCRR Parts 243, 244,and 245. These regulations require facilities to obtain/poses at least as many ‘allocations’ of sulfur dioxide (SO2) and oxides of nitrogen (NOx) as they emit into the atmosphere during a specified period of time. An ‘allocation’ is a unit of pollution which is limited by a budget established by the regulations. The Department developed these regulations in response to the United States Environmental Protection Agencies (EPA’s) recent “Clean Air Interstate Rule” (CAIR). The regulations are included in New York’s ‘ State Implementation Plan’ (SIP) which has been approved by EPA as required by the Clean Air Act of 1990.