

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



**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:  
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ALBANY, NY 12233

Division of Air Resources:  
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Air Permitting Facility Owner Contact:  
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WHITE PLAINS, NY 10601  
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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 and shutdown emission limits.

# New York State Department of Environmental Conservation

## Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005



### 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

THE FACILITY WILL CONSIST OF TWO GE 7F COMBUSTION TURBINES, TWO UNFIRED HEAT RECOVERY STEAM GENERATORS (HRSGS), ONE STEAM TURBINE, AND TWO DIESEL ENGINES FOR EMERGENCY EQUIPMENT. THE TURBINES WILL FIRE NATURAL GAS WITH UP TO 30 DAYS OF KEROSENE. THE PLANT WILL HAVE A NOMINAL GENERATING CAPACITY OF APPROXIMATELY 500 MEGAWATTS.

### 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



**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**

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 U00003 - EMISSION UNIT U00003 REPRESENTS TWO GE S207FA COMBUSTION TURBINES RATED AT 1779 MMBTU/HR WHEN FIRING NATURAL GAS (THE PRIMARY FUEL) AT 54.6 D F AND 2,041 MMBTU/HR WHEN FIRING KEROSENE (BACK-UP FUEL) AT -5 D F. THE TWO TURBINES WILL EACH VENT TO SEPARATE FLUE (EP0003A AND EP0003B). THE "COMBINED CYCLE FACILITY" WILL GENERATE APPROXIMATELY 500 MW OF POWER.

Emission unit U00003 is associated with the following emission points (EP): 0003A, 0003B

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

Process: PC1 is located at GROUND, Building CCNYP1 - EMISSION UNIT U00003 REPRESENTS TWO GE S207FA COMBUSTION TURBINES RATED AT 1,779 MMBTU/HR WHEN FIRING NATURAL GAS (THE PRIMARY FUEL) AT 54.6 D F AND 2,041 MMBTU/HR WHEN FIRING KEROSENE (BACK-UP FUEL) AT -5 D F OPERATING AT 50-100% LOAD. PROCESS PC1 FOR EMISSION UNIT U00003 REPRESENTS NATURAL GAS FIRING IN THE TURBINE. FOR THIS PROCESS, DRY LOW-NOX BURNERS AND SELECTIVE CATALYTIC REDUCTION ARE USED TO CONTROL NOX EMISSIONS. EMISSIONS OF VOC AND CO ARE CONTROLLED BY AN OXIDATION CATALYST. TOTAL THROUGHPUT VALUES LISTED BELOW REPRESENT MAXIMUM NATURAL GAS USE FOR THE SHORT-TERM (HOURLY) BASIS WHILE THE ANNUAL QUANTITY PER YEAR OF NATURAL GAS REPRESENTS TURBINE OPERATIONS AT THE AVERAGE ANNUAL TEMPERATURE (54.6D F).

Process: PC2 is located at GROUND, Building CCNYP1 - EMISSION UNIT U00003 REPRESENTS TWO GE S207FA COMBUSTION TURBINES RATED AT 1,779 MMBTU/HR WHEN FIRING NATURAL GAS (THE PRIMARY FUEL) AT 54.6 D F AND 2,041 MMBTU/HR WHEN FIRING KEROSENE (BACK-UP FUEL) AT -5 D F OPERATING AT 50-100% LOAD. PROCESS PC2 FOR EMISSION UNIT U00003 REPRESENTS KEROSENE FIRING IN THE TURBINE. FOR THIS PROCESS, DRY LOW-NOX BURNERS AND SELECTIVE CATALYTIC REDUCTION ARE USED TO CONTROL NOX EMISSIONS. EMISSIONS OF VOC AND CO ARE CONTROLLED BY AN OXIDATION CATALYST. KEROSENE USE WILL BE LIMITED TO 21.8 MILLION GALLONS PER YEAR, WHICH IS EQUIVALENT TO 720 HOURS PER YEAR OF OPERATION. MAXIMUM TOTAL THROUGHPUT OF KEROSENE, ON AN HOURLY BASIS,

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015    Modification Number: 1**

**08/12/2005**



REPRESENTS TURBINE OPERATIONS AT -5 D F AT FULL LOAD.

Process: PC3TWO DIESEL ENGINES (MANUFACTURER: GE): OPERATION IS LIMITED TO 200 HOURS OF OPERATION PER YEAR AND ONE HOUR OF TESTING PER WEEK.

**Title V/Major Source Status**

POLETTI POWER PROJECT is subject to Title V requirements. This determination is based on the following information:

NYPA's existing plant at the Charles Poletti site in Astoria, Queens is an existing major stationary source.

A separate Title V operating permit (ID # 2-6301-00084/00010) was issued on November 29, 2001 to NYPA's existing Poletti plant, which covers boiler # 6.

NYPA's proposed plant is a major facility because the potential emissions of Volatile Organic Compounds (VOC), Nitrogen Oxides (NOx), and Particulate Matter (PM) from the proposed project are greater than the major source thresholds (25 tons/year for VOC, 25 tons/year for NOx, and 100 tons/year for PM).

**Program Applicability**

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

<b>Regulatory Program</b>	<b>Applicability</b>
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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



**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

# New York State Department of Environmental Conservation

## Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005



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 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
2-01-009-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY IC ENGINE - KEROSENE/NAPHTHA (JET FUEL) Turbine
2-01-002-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - NATURAL GAS Turbine
2-04-004-02	INTERNAL COMBUSTION ENGINES - ENGINE TESTING INTERNAL COMBUSTION ENGINE: ENGINE TESTING - RECIPROCATING ENGINE Diesel/Kerosene

### 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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



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
007664-41-7	AMMONIA		>= 100 tpy but < 250 tpy
007440-36-0	ANTIMONY (HAP)		> 0 but < 10 tpy
007440-38-2	ARSENIC (HAP)		> 0 but < 10 tpy
007440-39-3	BARIUM		> 0 but < 2.5 tpy
007440-41-7	BERYLLIUM (HAP)		> 0 but < 10 tpy
007726-95-6	BROMINE		> 0 but < 2.5 tpy
007440-43-9	CADMIUM (HAP)		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 50 tpy but < 100 tpy
007440-47-3	CHROMIUM (HAP)		> 0 but < 10 tpy
007440-48-4	COBALT (HAP)		> 0 but < 10 tpy
007440-50-8	COPPER		> 0 but < 2.5 tpy
000050-00-0	FORMALDEHYDE (HAP)		> 0 but < 10 tpy
0NY100-00-0	HAP		>= 10 tpy but < 25 tpy
007439-92-1	LEAD (HAP)		> 0 but < 10 tpy
007439-96-5	MANGANESE (HAP)		> 0 but < 10 tpy
007439-97-6	MERCURY (HAP)		> 0 but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS (HAP)		> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 100 tpy but < 250 tpy
0NY075-00-0	PARTICULATES		>= 100 tpy but < 250 tpy
007723-14-0	PHOSPHORUS (YELLOW) (HAP)		> 0 but < 10 tpy
0NY075-00-5	PM-10		>= 100 tpy but < 250 tpy
007782-49-2	SELENIUM (HAP)		> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE		>= 50 tpy but < 100 tpy
007664-93-9	SULFURIC ACID		>= 10 tpy but < 25 tpy
007440-62-2	VANADIUM		> 0 but < 2.5 tpy
0NY998-00-0	VOC		>= 25 tpy but < 40 tpy
007440-66-6	ZINC		> 0 but < 2.5 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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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

**New York State Department of Environmental Conservation  
Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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 - 6 NYCRR 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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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,

**New York State Department of Environmental Conservation  
Permit Review Report**



**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**

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**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Short Description</b>	<b>Condition</b>
FACILITY	ECL 19-0301	Powers and Duties of the Department with respect to air pollution control	145
U-00003	40CFR 52-A.21	Prevention of Significant Deterioration	87, 88
U-00003/-/PC1	40CFR 52-A.21(j)	Best Available Control Technology	99, 100, 101, 102, 103
U-00003/-/PC2	40CFR 52-A.21(j)	Best Available Control Technology	112, 113, 114, 115, 116, 117
U-00003/0003A/PC1/CC03A	40CFR 52-A.21(j)	Best Available Control Technology	124, 125, 126
U-00003/0003A/PC2/CC03A	40CFR 52-A.21(j)	Best Available Control Technology	130, 131,

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005



			132
U-00003/0003B/PC1/CC03B	40CFR 52-A.21 (j)	Best Available Control Technology	136, 137, 138
U-00003/0003B/PC2/CC03B	40CFR 52-A.21 (j)	Best Available Control Technology	142, 143, 144
FACILITY	40CFR 60-A.11	General provisions - compliance with standards and maintenance requirements	72
FACILITY	40CFR 60-A.12	General provisions - Circumvention	73
FACILITY	40CFR 60-A.13	General provisions - Monitoring requirements	74
FACILITY	40CFR 60-A.14	General provisions - Modification	75
FACILITY	40CFR 60-A.15	General provisions - Reconstruction	76
FACILITY	40CFR 60-A.4	General provisions - Address	58
FACILITY	40CFR 60-A.7 (a)	Notification and Recordkeeping	59, 60
FACILITY	40CFR 60-A.7 (b)	Notification and Recordkeeping	61
FACILITY	40CFR 60-A.7 (c)	Notification and Recordkeeping	62
FACILITY	40CFR 60-A.7 (d)	Notification and Recordkeeping	63
FACILITY	40CFR 60-A.7 (f)	Notification and Recordkeeping	64
FACILITY	40CFR 60-A.8 (a)	Performance Tests	65
FACILITY	40CFR 60-A.8 (b)	Performance Tests	66
FACILITY	40CFR 60-A.8 (c)	Performance Tests	67
FACILITY	40CFR 60-A.8 (d)	Performance Tests	68
FACILITY	40CFR 60-A.8 (e)	Performance Tests	69
FACILITY	40CFR 60-A.8 (f)	Performance Tests	70
FACILITY	40CFR 60-A.9	General provisions - Availability of information	71
U-00003/-/PC2	40CFR 60-GG.333 (b)	Standard for Sulfur Dioxide	118
U-00003	40CFR 60-GG.334 (b)	Monitoring of Operations: CEMS	89, 90
FACILITY	40CFR 68	Chemical accident prevention provisions	1-15
FACILITY	40CFR 72	Permits regulation	78
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	1-16
FACILITY	6NYCRR 200.5	Sealing.	1
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1-1, 2
FACILITY	6NYCRR 200.7	Maintenance of equipment.	3, 1-4
FACILITY	6NYCRR 201-1.2	Permitting - unpermitted emission sources	4
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	146
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	1-5, 6
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to	1-6, 7

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005



		the air	
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	1-7, 9
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	1-8, 10
FACILITY	6NYCRR 201-5	State Facility Permit General Provisions	147, 148
FACILITY	6NYCRR 201-5.3(b)	Permit Content and Terms of Issuance - permit conditions	149
FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	11, 12, 13, 14, 15, 16, 17, 1-17, 18, 1-18, 19, 20, 21, 22, 23, 80, 81
U-00003/-/PC2	6NYCRR 201-6.1	Applicability	104
FACILITY	6NYCRR 201-6.5(a) (4)	General conditions	1-9
FACILITY	6NYCRR 201-6.5(a) (7)	General conditions	
Fees 1-2			
FACILITY	6NYCRR 201-6.5(a) (8)	General conditions	1-10
FACILITY	6NYCRR 201-6.5(c)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	25
FACILITY	6NYCRR 201-6.5(c) (2)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	26
FACILITY	6NYCRR 201-6.5(c) (3) (ii)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	27
FACILITY	6NYCRR 201-6.5(d) (5)	Compliance schedules	1-11
FACILITY	6NYCRR 201-6.5(e)	Compliance Certification	24
FACILITY	6NYCRR 201-6.5(f) (6)	Off Permit Changes	1-12
FACILITY	6NYCRR 202-1.1	Required emissions tests.	1-13, 28
FACILITY	6NYCRR 202-1.5	Prohibitions.	29
FACILITY	6NYCRR 202-2.1	Emission Statements - Applicability	30
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	31
FACILITY	6NYCRR 204-1.6	Standard Requirements	32
FACILITY	6NYCRR 204-2.1	Authorization and Responsibilities of the NOx Authorized Account Representative	33
FACILITY	6NYCRR 204-4.1	Compliance Certification Report	34, 35, 36
FACILITY	6NYCRR 204-7.1	Submission of NOx Allowance Transfers	37
FACILITY	6NYCRR 204-8.1	General Requirements	38, 39, 40
FACILITY	6NYCRR 204-8.2	Initial Certification and Recertification Procedures	41, 42
FACILITY	6NYCRR 204-8.3	Out of Control Periods	43

# New York State Department of Environmental Conservation

## Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005



FACILITY	6NYCRR 204-8.4	Notifications	44
FACILITY	6NYCRR 204-8.7	Additional Requirements to Provide Heat Input Data for Allocations Purposes	45
FACILITY	6NYCRR 207	Control Measures for an Air Pollution Episode	46
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	150
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	1-14, 47, 48
FACILITY	6NYCRR 215	Open Fires	1-3, 49
FACILITY	6NYCRR 225-1.2(d)	Sulfur-in-fuel limitations - Table 2	50
U-00003/-/PC3	6NYCRR 227.2(b)(1)	Particulate emissions.	120
U-00003	6NYCRR 227-1.3(a)	Smoke Emission Limitations.	82
U-00003/-/PC1	6NYCRR 227-2.4(e)(2)(i)	RACT requirements for gas fired combined cycle combustion turbines.	92
U-00003/-/PC2	6NYCRR 227-2.4(e)(2)(ii)	RACT requirements for combined cycle combustion turbines when firing oil.	105
U-00003/-/PC3	6NYCRR 227-2.4(f)(3)	Exemption for emergency power generating units and units that operate during emergency situations.	119
U-00003/-/PC1	6NYCRR 231-2.5(a)	LAER	93, 94, 95, 96, 97, 98
U-00003/-/PC2	6NYCRR 231-2.5(a)	LAER	106, 107, 108, 109, 110, 111
U-00003/0003A/PC1/CC03A	6NYCRR 231-2.5(a)	LAER	121, 122, 123
U-00003/0003A/PC2/CC03A	6NYCRR 231-2.5(a)	LAER	127, 128, 129
U-00003/0003B/PC1/CC03B	6NYCRR 231-2.5(a)	LAER	133, 134, 135
U-00003/0003B/PC2/CC03B	6NYCRR 231-2.5(a)	LAER	139, 140, 141
U-00003	6NYCRR 231-2.6	Emission reduction credits	83, 84, 85
U-00003	6NYCRR 231-2.9	Emission offsets	86

### Applicability Discussion:

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

**New York State Department of Environmental Conservation  
Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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-.5

Allows for the sealing of non-compliant air contamination sources

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 201-1.2

Any existing emission source that is required to be permitted or registered but has not done so, must apply for the necessary permit or registration. The source is subject to all regulations that were applicable at the time the original permit or registration was required as well as any subsequent applicable requirements that came into effect since.

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

**New York State Department of Environmental Conservation  
Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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

This regulation applies to those permit terms and conditions which are not federally enforceable. It specifies the applicability criteria for state facility permits, the information to be included in all state facility permit applications as well as the permit content, terms of permit issuance, and sets guidelines for modifying state facility permits and allowing for operational flexibility. For permitting purposes, this rule specifies the need to list all emission units except those that are exempt or trivial pursuant to Subpart 201-3 in the permit application and provide a description of the emission unit's processes and products. Finally, this rule also provides the Department the authority to include this and any other information that it deems necessary to identify applicable Federal standards, recordkeeping and reporting requirements, and establish terms and conditions that will ensure compliance with the national ambient air quality standards.

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.

**New York State Department of Environmental Conservation  
Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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 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 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

## New York State Department of Environmental Conservation

### Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1



08/12/2005

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 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 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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**



**08/12/2005**

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 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 semiannually 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

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



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 start up, 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)

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-GG.333 (b)

This regulation limits the amount of sulfur in the fuel burned in a gas turbine.

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.

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



40CFR 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.

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 SO<sub>2</sub> and NO<sub>x</sub> (sulfur 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 SO<sub>2</sub> 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 SO<sub>2</sub>. The utilities are required to limit SO<sub>2</sub> 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 201-6.1

This section sets forth the applicability requirements for a Title V facility permit and preconstruction permits for stationary sources. It also defines those stationary source categories exempted or deferred from the permitting requirements to obtain a Title V permit. This section also allows any stationary source, that so desires, to apply for a Title V facility permit. Finally, applicable facilities with multiple stationary sources are to be issued a single Title V permit unless a request is made otherwise.

6NYCRR 201-6.5 (c)

This requirement specifies what information must be included in any records and reports that are to be maintained or submitted as a result of any compliance monitoring. Records of all monitoring data and support information is to be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Reports of any required monitoring as a result of a federally applicable requirement needs to be submitted every 6 months, at a minimum. Finally, the permit needs to include a notification and reporting process for 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 (c) (2)

This requirement specifies what information must be included in any records and reports that are to be maintained or submitted as a result of any compliance monitoring. Records of all monitoring data and support information is to be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Reports of any required monitoring as a result of a federally applicable requirement needs to be submitted every 6 months, at a minimum. Finally, the permit needs to include a notification and reporting process for 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 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



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 204-1.6

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

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 re certifying 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 utilized.

6NYCRR 207

## New York State Department of Environmental Conservation

### Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005



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 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 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 227-1.3 (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 (e) (2) (i)

This regulation limits the emission of Nitrogen Oxides (NOx) and requires the facility to comply with the NOX RACT and LAER emission limit of 2.0 parts per million by volume (dry, corrected to 15 percent of oxygen), while firing gas. This limit is more stringent than the regular NOx limit of 42 ppmvd, corrected to 15 percent oxygen, when firing gas, under 6 NYCRR 227-2.4(e)(ii) for combined cycle combustion turbines.

#### 6NYCRR 227-2.4 (e) (2) (ii)

This regulation limits the emission of Nitrogen Oxides (NOx) and requires the facility to comply with the NOX RACT and LAER emission limit of 10 parts per million by volume (dry, corrected to 15 percent of oxygen), while firing oil. This limit is more stringent than the regular NOx limit of 65 ppmvd, corrected to 15 percent oxygen, when firing oil, under 6 NYCRR 227-2.4(e)(ii) for combined cycle combustion turbines.

#### 6NYCRR 227-2.4 (f) (3)

This regulation limits the operating hours of each of the two emergency diesel generators to 200 hours per year. This limit is more stringent than the regular operating hours of 500 hours per year under 6 NYCRR 227-2.4(f)(3).

#### 6NYCRR 231-2.5 (a)

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.

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



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 231-2.9

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.

ECL 19-0301

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.

**Non Applicability Analysis**

**List of non-applicable rules and regulations:**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Short Description</b>	<b>Regulation</b>
U-00003	Continuous emission monitoring - specific provisions for monitoring SO2 emissions units with SO2 CEM gaseous fuel	40CFR 75-B.11(e)
Reason: FAC KEROSENE USE WILL BE LMTD TO AN EQUIV OF 720 FULL POWER HRS/YR OR 8.2% OF ANNUAL POT. OP.CAPACITY. SINCE FAC QUALIFIES AS A "PRIMARILY NAT GAS FIRED" (UNDER 40CFR 72.2), CONTIN. EMIS MONITORING OF SO2 IS NOT REQ. AN ALTERNATIVE MONITORING METH INCLUD		



New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

Summary of monitoring activities at POLETTI POWER PROJECT:

Table with 3 columns: Location Facility/EU/EP/Process/ES, Type of Monitoring, and Cond No. It lists various monitoring activities such as continuous emission monitoring, intermittent emission testing, and work practice involving specific operations across different facility locations and permit conditions.



New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6301-00084/00015 Modification Number: 1

08/12/2005

FACILITY	monitoring of process or control device parameters as surrogate	48
FACILITY	work practice involving specific operations	50
U-00003/-/PC3	intermittent emission testing	120
U-00003	monitoring of process or control device parameters as surrogate	82
U-00003/-/PC1	continuous emission monitoring (cem)	92
U-00003/-/PC2	continuous emission monitoring (cem)	105
U-00003/-/PC3	record keeping/maintenance procedures	119
U-00003/-/PC1	continuous emission monitoring (cem)	93
U-00003/-/PC1	intermittent emission testing	94
U-00003/-/PC1	intermittent emission testing	95
U-00003/-/PC1	continuous emission monitoring (cem)	96
U-00003/-/PC1	continuous emission monitoring (cem)	97
U-00003/-/PC1	continuous emission monitoring (cem)	98
U-00003/-/PC2	intermittent emission testing	106
U-00003/-/PC2	intermittent emission testing	107
U-00003/-/PC2	continuous emission monitoring (cem)	108
U-00003/-/PC2	continuous emission monitoring (cem)	109
U-00003/-/PC2	continuous emission monitoring (cem)	110
U-00003/-/PC2	continuous emission monitoring (cem)	111
U-00003/0003A/PC1/CC03A	intermittent emission testing	121
U-00003/0003A/PC1/CC03A	continuous emission monitoring (cem)	122
U-00003/0003A/PC1/CC03A	continuous emission monitoring (cem)	123
U-00003/0003A/PC2/CC03A	continuous emission monitoring (cem)	127
U-00003/0003A/PC2/CC03A	continuous emission monitoring (cem)	128
U-00003/0003A/PC2/CC03A	intermittent emission testing	129
U-00003/0003B/PC1/CC03B	intermittent emission testing	133
U-00003/0003B/PC1/CC03B	continuous emission monitoring (cem)	134
U-00003/0003B/PC1/CC03B	continuous emission monitoring (cem)	135
U-00003/0003B/PC2/CC03B	intermittent emission testing	139
U-00003/0003B/PC2/CC03B	continuous emission monitoring (cem)	140
U-00003/0003B/PC2/CC03B	continuous emission monitoring (cem)	141
U-00003	continuous emission monitoring (cem)	83
U-00003	monitoring of process or control device parameters as surrogate	84
U-00003	continuous emission monitoring (cem)	85
U-00003	record keeping/maintenance procedures	86

**Basis for Monitoring**

**Conditions # 87, # 88 (40 CFR 52-A.21):** These conditions under the "Prevention of Significant Deterioration (PSD)" require the facility to comply with the annual emission limits for Ammonia and PM10.

**Conditions # 99 thru # 103, # 124, # 125, # 126, # 136, # 137.and # 138 (40 CFR 52-A.21(j)):** These conditions requires the facility to comply with the BACT limits for the pollutants for the combustion turbines while firing natural gas (Process PC1).

**Conditions # 112 thru # 117, # 130, # 131, # 132, # 142, # 143 and # 144 (40 CFR 52-A.21(j)):** These conditions requires the facility to comply with the BACT limits for the pollutants for the combustion turbines while firing kerosene oil (Process PC2).

**Conditions # 118 (40 CFR 60.333(b), NSPS Subpart GG):** This condition requires the facility to comply with the standards for Sulfur dioxide by testing fuel oil's upper sulfur content limit of 0.04 percent by weight.

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



**Conditions # 89, # 90 (40 CFR 60.334(b), NSPS Subpart GG):** These conditions require the facility to test, maintain records, and report the sulfur content and nitrogen content in each fuel type. The facility is required to submit a custom schedule for monitoring requirements and get it approved by US EPA.

**Condition # 104 (6 NYCRR Part 201-6.1):** This condition requires the facility to comply with the testing and reporting requirements for fuel oil's upper sulfur content limit of 0.04 percent by weight. This limit is more stringent than the regular sulfur-in-fuel limit of 0.20 percent by weight under 6 NYCRR Part 225-1.2.

**Condition # 26 (6 NYCRR Part 201-6.5(c)(3)(ii)):** This is a facility-wide condition that applies to monitoring conditions in all Title V Permits. All facilities that are subject to the Title V requirements must submit reports of any required monitoring to the NYSDEC every six months.

**Condition # 27 (6 NYCRR Part 201-6.5(e)):** This is a facility-wide record keeping requirement that applies to all Title V facilities. These facilities must submit an annual compliance certification to the NYSDEC and the USEPA.

**Condition # 30 (6 NYCRR Part 202-2.1):** This facility level monitoring condition is a requirement for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year.

**Conditions # 36 (6 NYCRR 204-4.1), # 42 (6 NYCRR 204-8.2), # 44 (6 NYCRR 204-8.4), and #45 (6 NYCRR 204-8.7)** are the requirements for the Title V facilities under NOx Budget Trading Program under 6 NYCRR 204. This facility is a mandatory participant in the NOx budget program and is required to retain and submit reports on quarterly basis to USEPA and NYSDEC.

**Conditions # 47, # 48 (6 NYCRR Part 211.3):** These facility level requirements are for monitoring and reporting the opacity under visible emission limits.

**Condition # 50 (6 NYCRR Part 225-1.2(d)):** This is a facility level condition regarding the sulfur content of fuel oil used at the facility. The sulfur content must be certified by the seller. The facility must maintain a log of the sulfur content of oil on a per delivery basis.

**Condition # 120 (6 NYCRR 227.2(b)(1)):** This is a monitoring, testing and reporting requirement for particulate emissions from the emergency diesel generators.

**Condition # 82 (6 NYCRR 227-1.3(a)):** This is an Emission Unit level monitoring and reporting condition for opacity limit.

**Condition # 92 (6 NYCRR 227-2.4(e)(2)(i)):** This regulation limits the emission of Nitrogen Oxides (NOx) and requires the facility to comply with the NOX RACT and LAER emission limit of 2.0 parts per million by volume (dry, corrected to 15 percent of oxygen), while firing gas. This limit is more stringent than the regular NOx limit of 42 ppmvd, corrected to 15 percent oxygen, when firing gas, under 6 NYCRR 227-2.4(e)(ii) for combined cycle combustion turbines.

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6301-00084/00015 Modification Number: 1**

**08/12/2005**



**Condition # 105 (6 NYCRR 227-2.4(e)(2)(ii)):** This regulation limits the emission of Nitrogen Oxides (NOx) and requires the facility to comply with the NOX RACT and LAER emission limit of 10 parts per million by volume (dry, corrected to 15 percent of oxygen), while firing oil. This limit is more stringent than the regular NOx limit of 65 ppmvd, corrected to 15 percent oxygen, when firing oil, under 6 NYCRR 227-2.4(e)(ii) for combined cycle combustion turbines.

**Conditions # 119 (6 NYCRR 2.4(f)(3)):** This regulation limits the operating hours of each of the two emergency diesel generators to 200 hours per year. This limit is more stringent than the regular limit of operating hours of 500 hours per year under 6 NYCRR 227-2.4(f)(3).

**Conditions # 53, # 54 (6 NYCRR 227-3.13)** are the facility level monitoring conditions for NOx emissions under "Nitrogen Oxides Emissions Budget and Allowance Program".

**Conditions # 55 (6 NYCRR 227-3.15), # 56 (6 NYCRR 227-3.16), and # 57 (6 NYCRR 227-3.17)** are the facility level monitoring conditions for NOx emissions under "Nitrogen Oxides Emissions Budget and Allowance Program".

**Conditions # 93 thru # 98; # 106 thru # 111; # 121, # 122, # 123, # 127, # 128, # 129, # 133, # 134, # 135, # 139, # 140, and 141 (all under 6 NYCRR Part 231-2.5(a)):** These conditions requires the facility to comply with the LAER limits for the pollutants for the combustion turbines while firing natural gas (Process PC1) and kerosene oil (Process PC2).

**Condition # 83, # 84 and # 85 (6 NYCRR 231-2.6):** These conditions limit the annual emissions of the pollutants to comply with the requirements under Emission Reduction Credits.

**Condition # 86 (6 NYCRR 231-2.9):** This lists the details of the emission offsets required by the facility and donated by the out-of-State facilities.