



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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: NYSDEC - REGION 2

47-40 21ST ST

LONG ISLAND CITY, NY 11101-5407

Phone: 718 482 4997

Division of Air Resources:

Name: KAMAL K MALHOTRA

Address: NYSDEC - REGION 2

47-40 21ST ST

LONG ISLAND CITY, NY 11101

Phone: 718 482 4944

Air Permitting Facility Owner Contact:

Name: KOLLI M RAO

Address: NEW YORK POWER AUTHORITY

123 MAIN STREET

WHITE PLAINS, NY 10601

Phone: 914 681 6387

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 add a Caterpillar 800 HP (550Kwe) emergency diesel generator (EDG) as an emergency backup power source in the Administrative Building, located at the Charles Poletti site. The EDG will burn ultra low sulfur diesel (ULSD) fuel.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

The emergency diesel generator is an exempt source and will be used only when the 500 MW plant is not running for up to 475 hours per year. The application will be minor modification because there will be no increase in emissions.

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 consists of two GE S207FA combustion turbines, two unfired heat recovery steam generators(HRSGs), one steam turbine, and one diesel engine for emergency equipment. The turbines fire natural gas with up to 30 days of kerosene. The plant has 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 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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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 DISTILLATE OIL (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

Process: PC1 is located at GROUND, Building CCNYPA1 - 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 DISTILLATE OIL (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 CCNYPA1 - 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 DISTILLATE OIL (BACK-UP FUEL) AT -5 D F OPERATING AT 50-100% LOAD. PROCESS PC2 FOR EMISSION UNIT U00003 REPRESENTS DISTILLATE OIL 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. DISTILLATE OIL 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 DISTILLATE OIL, ON AN HOURLY BASIS, REPRESENTS TURBINE OPERATIONS AT -5 D F AT FULL LOAD.

Process: PC3 ONE DIESEL ENGINE (MANUFACTURER: DETROIT DIESEL): OPERATION IS LIMITED TO 200 HOURS OF OPERATION PER YEAR AND ONE HOUR OF TESTING PER WEEK.

Process: PC4 is located at Building CCNYPA1 - One Caterpillar 800HP (550KWe), Model Year 2014, emergency diesel generator (EDG), which will supply power to the Poletti Administrative Building when off site power is lost. The EDG will be limited to 475 hours of operation per year and one hour of testing per week and will burn ultra low sulfur (ULSD) fuel.

Title V/Major Source Status

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

NYPA's new 500-MW 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:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	NO
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	NO
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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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 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.

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

SCC Code	Description
2-01-001-07	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) RECIPROCATING: EXHAUST
2-01-002-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - NATURAL GAS Turbine
2-01-009-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY IC ENGINE - KEROSENE/NAPHTHA (JET FUEL) 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 Service 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	Range
		lbs/yr	
007664-41-7	AMMONIA		>= 100 tpy but < 250 tpy
007440-36-0	ANTIMONY		> 0 but < 10 tpy
007440-38-2	ARSENIC		> 0 but < 10 tpy
007440-39-3	BARIUM		> 0 but < 2.5 tpy
007440-41-7	BERYLLIUM		> 0 but < 10 tpy
007726-95-6	BROMINE		> 0 but < 2.5 tpy
007440-43-9	CADMIUM		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 50 tpy but < 100 tpy



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

007440-47-3	CHROMIUM	> 0 but < 10 tpy
007440-48-4	COBALT	> 0 but < 10 tpy
007440-50-8	COPPER	> 0 but < 2.5 tpy
000050-00-0	FORMALDEHYDE	> 0 but < 10 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
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	> 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)	> 0 but < 10 tpy
0NY075-00-5	PM-10	>= 100 tpy but < 250 tpy
007782-49-2	SELENIUM	> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE	>= 50 tpy but < 100 tpy
007664-93-9	SULFURIC ACID	>= 10 tpy but < 25 tpy
0NY100-00-0	TOTAL HAP	>= 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 - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
- (3) During the period of the emergency the facility owner 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 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 or operator



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

seeking to establish the occurrence of an emergency has the burden of proof.

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

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

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

Item C: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(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 201-6.2(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 201-6.4(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 201-6.4(a)(3)

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

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)

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

Item H: Property Rights - 6 NYCRR 201-6.4(a)(6)

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

Item I: Severability - 6 NYCRR Part 201-6.4(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 201-6.4(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 201-6.4(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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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.

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
--			
FACILITY	ECL 19-0301	124	Powers and Duties of the Department with respect to air pollution control
U-00003	40CFR 52-A.21	70, 71	Prevention of Significant Deterioration
U-00003/-/PC1	40CFR 52-A.21(j)	79, 80, 81, 82, 83	Best Available Control Technology
U-00003/-/PC2	40CFR 52-A.21(j)	1 -12, 1 -13, 1 -14, 1 -15, 1 -16, 1 -17	Best Available Control Technology
U-00003/0003A/PC1/CC03A	40CFR 52-A.21(j)	103, 104, 105	Best Available Control Technology
U-00003/0003A/PC2/CC03A	40CFR 52-A.21(j)	1 -21, 1 -22, 1 -23	Best Available Control Technology
U-00003/0003B/PC1/CC03B	40CFR 52-A.21(j)	115, 116, 117	Best Available Control Technology
U-00003/0003B/PC2/CC03B	40CFR 52-A.21(j)	1 -27, 1 -28, 1 -29	Best Available Control Technology
FACILITY	40CFR 60-A.11	57	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	58	General provisions - Circumvention
FACILITY	40CFR 60-A.13	59	General provisions - Monitoring requirements
FACILITY	40CFR 60-A.14	60	General provisions - Modification
FACILITY	40CFR 60-A.15	61	General provisions - Reconstruction
FACILITY	40CFR 60-A.4	45	General provisions - Address
FACILITY	40CFR 60-A.7(a)	46, 47	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(b)	48	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(d)	49	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(f)	50	Notification and Recordkeeping
FACILITY	40CFR 60-A.8(b)	51	Performance Tests
FACILITY	40CFR 60-A.8(c)	52	Performance Tests
FACILITY	40CFR 60-A.8(d)	53	Performance Tests
FACILITY	40CFR 60-A.8(e)	54	Performance Tests
FACILITY	40CFR 60-A.8(f)	55	Performance Tests
FACILITY	40CFR 60-A.9	56	General provisions - Availability of information
U-00003/-/PC2	40CFR 60-GG.333(b)	1 -18	Standard for Sulfur Dioxide
U-00003	40CFR 60-GG.334(b)	72	Monitoring of



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

FACILITY	40CFR 68	12		Operations: CEMS
FACILITY	40CFR 72	62		Chemical accident
FACILITY	40CFR 82-F	13		prevention provisions
				Permits regulation
				Protection of
				Stratospheric Ozone -
				recycling and
				emissions reduction
FACILITY	6NYCRR 200.6	1		Acceptable ambient
FACILITY	6NYCRR 200.7	5		air quality.
FACILITY	6NYCRR 201-1.4	125		Maintenance of
				equipment.
				Unavoidable
				noncompliance and
				violations
FACILITY	6NYCRR 201-1.7	6		Recycling and Salvage
FACILITY	6NYCRR 201-1.8	7		Prohibition of
				reintroduction of
				collected
				contaminants to the
				air
FACILITY	6NYCRR 201-3.2 (a)	8		Exempt Activities -
U-00003/-/PC4	6NYCRR 201-3.2 (a)	2	-1	Proof of eligibility
				Exempt Activities -
FACILITY	6NYCRR 201-3.3 (a)	9		Proof of eligibility
				Trivial Activities -
				proof of eligibility
FACILITY	6NYCRR 201-6	14, 15, 16, 63, 64		Title V Permits and
				the Associated Permit
				Conditions
U-00003/-/PC2	6NYCRR 201-6.1	1	-7	Applicability
FACILITY	6NYCRR 201-6.4 (a) (4)	17		General Conditions -
				Requirement to
				Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	18		General Conditions -
FACILITY	6NYCRR 201-6.4 (a) (8)	19		Fees
FACILITY	6NYCRR 201-6.4 (c)	20		General Conditions -
				Right to Inspect
				Recordkeeping and
				Reporting of
FACILITY	6NYCRR 201-6.4 (c) (2)	21		Compliance Monitoring
				Records of
				Monitoring, Sampling
				and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	1	-1	Reporting
				Requirements -
				Deviations and
				Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	22		Compliance Schedules
FACILITY	6NYCRR 201-6.4 (e)	1	-2	- Progress Reports
FACILITY	6NYCRR 201-6.4 (f) (6)	1	-3	Compliance
FACILITY	6NYCRR 202-1.1	11		Certification
FACILITY	6NYCRR 202-1.5	23		Off Permit Changes
FACILITY	6NYCRR 202-2.1	2		Required emissions
				tests.
FACILITY	6NYCRR 202-2.5	3		Prohibitions.
				Emission Statements -
				Applicability
				Emission Statements -
				record keeping
				requirements.
FACILITY	6NYCRR 207	24		Control Measures for
				an Air Pollution
				Episode



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

FACILITY	6NYCRR 211.1	25	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	126	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	4	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2	1 -4	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 225-1.2 (g)	1 -5	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 225-1.2 (h)	1 -6	Sulfur-in-Fuel Limitations
U-00003/-/PC3	6NYCRR 227.2 (b) (1)	98	Particulate emissions.
U-00003	6NYCRR 227-1.3 (a)	65	Smoke Emission Limitations.
FACILITY	6NYCRR 231-10.2	27	Determination of ERCs
U-00003/-/PC1	6NYCRR 231-2.5 (a)	73, 74, 75, 76, 77, 78	LAER
U-00003/-/PC2	6NYCRR 231-2.5 (a)	87, 88, 1 -8, 1 -9, 1 -10, 1 -11	LAER
U-00003/0003A/PC1/CC03A	6NYCRR 231-2.5 (a)	100, 101, 102	LAER
U-00003/0003A/PC2/CC03A	6NYCRR 231-2.5 (a)	107, 1 -19, 1 -20	LAER
U-00003/0003B/PC1/CC03B	6NYCRR 231-2.5 (a)	112, 113, 114	LAER
U-00003/0003B/PC2/CC03B	6NYCRR 231-2.5 (a)	119, 1 -24, 1 -25, 1 -26	LAER
U-00003	6NYCRR 231-2.6	66, 67, 68	Emission reduction credits
U-00003/-/PC3	6NYCRR 231-2.6	99	Emission reduction credits
U-00003	6NYCRR 231-2.9	69	Emission offsets
FACILITY	6NYCRR 243-1.6 (a)	28	Permit Requirements - CAIR NOx Ozone Season Trading Program Monitoring
FACILITY	6NYCRR 243-1.6 (b)	29	Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (c)	30	NOx Ozone Season Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (d)	31	Excess Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (e)	32	Recordkeeping and reporting requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-2.1	33	Authorization and responsibilities - CAIR Designated Representative
FACILITY	6NYCRR 243-2.4	34	Certificate of representation - CAIR Designated



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

FACILITY	6NYCRR 243-8.1	35, 36	Representative General Requirements - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5 (d)	37	Quarterly reports re: recordkeeping and reporting - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5 (e)	38	Compliance certification re: recordkeeping and reporting - Monitoring and Reporting
FACILITY	6NYCRR 244-1	39	CAIR NOx Ozone Annual Trading Program
FACILITY	6NYCRR 244-2	40	General Provisions CAIR Designated Representative for CAIR NOx Sources
FACILITY	6NYCRR 244-8	41	Monitoring and Reporting CAIR NOx Allowances
FACILITY	6NYCRR 245-1	42	CAIR SO2 Trading Program General Provisions
FACILITY	6NYCRR 245-2	43	CAIR Designated Representative for CAIR SO2 Sources
FACILITY	6NYCRR 245-8	44	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 19-0301

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.

6 NYCRR 200.6

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

6 NYCRR 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

6 NYCRR 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.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR Subpart 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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 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.

6 NYCRR 202-2.1

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

6 NYCRR 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.

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

permit the burning of any materials in an open fire.

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:

40 CFR 52.21

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) .

40 CFR 52.21 (j)

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

40 CFR 60.11

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

40 CFR 60.12

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

40 CFR 60.13

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.

40 CFR 60.14



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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

40 CFR 60.15

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

40 CFR 60.333 (b)

This regulation limits the amount of sulfur in the fuel burned in a gas turbine to 0.8% by weight

40 CFR 60.334 (b)

This regulation allows the owner/operator of a gas turbine to use a CEMS to monitor NOx emissions instead of monitoring fuel and water/steam usage.

40 CFR 60.4

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 Quality Assurance (BQA).

40 CFR 60.7 (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.

40 CFR 60.7 (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.

40 CFR 60.7 (d)

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

40 CFR 60.7 (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.

40 CFR 60.8 (b)



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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

40 CFR 60.8 (c)

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

40 CFR 60.8 (d)

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

40 CFR 60.8 (e)

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

40 CFR 60.8 (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.

40 CFR 60.9

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.

40 CFR Part 72

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

6 NYCRR 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.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

6 NYCRR 201-6.4 (a) (4)

6 NYCRR 201-6.4 (a) (7)

6 NYCRR 201-6.4 (a) (8)

6 NYCRR 201-6.4 (c)

6 NYCRR 201-6.4 (c) (2)

6 NYCRR 201-6.4 (d) (4)

6 NYCRR 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.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 225-1.2

This section of the regulation establishes sulfur-in-fuel limitations for coal, residual oil, distillate oil, and waste oil.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

6 NYCRR 225-1.2 (g)

Sulfur-in-fuel limitations for the purchase of distillate oil on or after July 1, 2014.

6 NYCRR 225-1.2 (h)

Sulfur-in-fuel limitation for the firing of distillate oil on or after July 1, 2016.

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR 231-10.2

This section lists the requirements on determining if a reduction qualifies to be an ERC.

6 NYCRR 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.

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)).

6 NYCRR 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.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

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

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR 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.

6 NYCRR 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.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

6 NYCRR 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.

6 NYCRR 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 that meet the monitoring, recordkeeping, and reporting requirements in Subpart 6 NYCRR 243-8 and in Subpart H of 40 CFR Part 75.

6 NYCRR 243-8.5 (d)

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

6 NYCRR 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.

6 NYCRR Part 207

This regulation requires the owner or operator to submit an episode action plan to the Department in accordance with the requirements of 6 NYCRR 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.

6 NYCRR Subpart 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 31 each 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.

6 NYCRR Subpart 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.

6 NYCRR Subpart 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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

monitoring system must be used to measure NOx emissions. NOx emission reports must be certified and submitted quarterly.

6 NYCRR Subpart 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.

6 NYCRR Subpart 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.

6 NYCRR Subpart 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	Cond No.	Type of Monitoring
Facility/EU/EP/Process/ES		

U-00003	70	intermittent emission testing
U-00003	71	continuous emission monitoring (cem)
U-00003/-/PC1	79	intermittent emission testing
U-00003/-/PC1	80	intermittent emission testing
U-00003/-/PC1	81	work practice involving specific operations
U-00003/-/PC1	82	work practice involving specific operations
U-00003/-/PC1	83	continuous emission monitoring (cem)
U-00003/-/PC2	1-12	continuous emission monitoring (cem)
U-00003/-/PC2	1-13	work practice involving specific operations
U-00003/-/PC2	1-14	work practice involving specific operations
U-00003/-/PC2	1-15	intermittent emission testing
U-00003/-/PC2	1-16	intermittent emission testing
U-00003/-/PC2	1-17	intermittent emission testing
U-00003/0003A/PC1/CC03A	103	intermittent emission testing
U-00003/0003A/PC1/CC03A	104	intermittent emission testing
U-00003/0003A/PC1/CC03A	105	continuous emission monitoring (cem)
U-00003/0003A/PC2/CC03A	1-21	intermittent emission testing
U-00003/0003A/PC2/CC03A	1-22	intermittent emission testing
U-00003/0003A/PC2/CC03A	1-23	continuous emission monitoring (cem)
U-00003/0003B/PC1/CC03B	115	intermittent emission testing



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

U-00003/0003B/PC1/CC03B	116	intermittent emission testing
U-00003/0003B/PC1/CC03B	117	continuous emission monitoring (cem)
U-00003/0003B/PC2/CC03B	1-27	intermittent emission testing
U-00003/0003B/PC2/CC03B	1-28	intermittent emission testing
U-00003/0003B/PC2/CC03B	1-29	continuous emission monitoring (cem)
U-00003/-/PC2	1-18	work practice involving specific operations
U-00003	72	record keeping/maintenance procedures
U-00003/-/PC4	2-1	record keeping/maintenance procedures
FACILITY	16	record keeping/maintenance procedures
U-00003/-/PC2	1-7	work practice involving specific operations
FACILITY	1-1	record keeping/maintenance procedures
FACILITY	1-2	record keeping/maintenance procedures
FACILITY	2	record keeping/maintenance procedures
FACILITY	1-4	work practice involving specific operations
FACILITY	1-5	work practice involving specific operations
FACILITY	1-6	work practice involving specific operations
U-00003/-/PC3	98	intermittent emission testing
U-00003	65	monitoring of process or control device parameters as surrogate
FACILITY	27	record keeping/maintenance procedures
U-00003/-/PC1	73	intermittent emission testing
U-00003/-/PC1	74	continuous emission monitoring (cem)
U-00003/-/PC1	75	continuous emission monitoring (cem)
U-00003/-/PC1	76	continuous emission monitoring (cem)
U-00003/-/PC1	77	continuous emission monitoring (cem)
U-00003/-/PC1	78	intermittent emission testing
U-00003/-/PC2	1-8	continuous emission monitoring (cem)
U-00003/-/PC2	1-9	intermittent emission testing
U-00003/-/PC2	1-10	intermittent emission testing
U-00003/-/PC2	1-11	continuous emission monitoring (cem)
U-00003/-/PC2	87	continuous emission monitoring (cem)
U-00003/-/PC2	88	continuous emission monitoring (cem)
U-00003/0003A/PC1/CC03A	100	intermittent emission testing
U-00003/0003A/PC1/CC03A	101	continuous emission monitoring (cem)
U-00003/0003A/PC1/CC03A	102	continuous emission monitoring (cem)
U-00003/0003A/PC2/CC03A	1-19	intermittent emission testing
U-00003/0003A/PC2/CC03A	1-20	continuous emission monitoring (cem)
U-00003/0003A/PC2/CC03A	107	continuous emission monitoring (cem)
U-00003/0003B/PC1/CC03B	112	intermittent emission testing
U-00003/0003B/PC1/CC03B	113	continuous emission monitoring (cem)
U-00003/0003B/PC1/CC03B	114	continuous emission monitoring (cem)
U-00003/0003B/PC2/CC03B	1-24	intermittent emission testing
U-00003/0003B/PC2/CC03B	1-25	continuous emission monitoring (cem)
U-00003/0003B/PC2/CC03B	1-26	continuous emission monitoring (cem)
U-00003/0003B/PC2/CC03B	119	continuous emission monitoring (cem)
U-00003	66	continuous emission monitoring (cem)
U-00003	67	monitoring of process or control device parameters as surrogate
U-00003	68	continuous emission monitoring (cem)
U-00003/-/PC3	99	record keeping/maintenance procedures
U-00003	69	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures

Basis for Monitoring

Condition under 40 CFR 52-A.21: This condition under the "Prevention of Significant Deterioration (PSD)" require the facility to comply with the annual emission limits for Ammonia and PM10.

Conditions under 40 CFR 52-A.21(j): These conditions requires the facility to comply with the BACT limits for the pollutants for the combustion turbines.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

Conditions under 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.

Condition under 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 under 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 under 6 NYCRR 204-4.1, 6 NYCRR 204-8.2, and 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.

Condition under 6 NYCRR Part 211.3: These facility level requirements are for monitoring and reporting the opacity under visible emission limits.

Conditions under 6 NYCRR Part 225-1.2: These are facility level conditions 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 under 6 NYCRR 227.2(b)(1): This is a monitoring, testing and reporting requirement for particulate emissions from the emergency diesel generator.

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

Condition under 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.

Condition under 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 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 under 6 NYCRR 231-2.6: These conditions limit the annual emissions of the pollutants to comply with the requirements under Emission Reduction Credits.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6301-00084/00015

Renewal Number: 2

Modification Number: 2 12/03/2014

Condition under 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.