



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 7-5032-00019/00016

Renewal Number: 1
09/24/2012

Facility Identification Data

Name: CAYUGA OPERATING COMPANY, LLC
Address: 228 CAYUGA DR
LANSING, NY 14882

Owner/Firm

Name: CAYUGA OPERATING COMPANY LLC
Address: 228 CAYUGA DR
LANSING, NY 14882, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Air Permitting Facility Owner Contact:
Name: PETER BATROWNY
Address: AES CAYUGA LLC
228 CAYUGA DR
LANSING, NY 14882-8896
Phone: 6075337913

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

Title V renewal.

Attainment Status

CAYUGA OPERATING COMPANY, LLC is located in the town of LANSING in the county of TOMPKINS.

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*	TRANSPORT REGION (NON-ATTAINMENT)



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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:

AES CAYUGA STATION IS AN ELECTRIC GENERATING STATION CONSISTING OF TWO GENERATOR UNITS. STEAM FOR UNIT 1 IS SUPPLIED BY BOILER 1. STEAM FOR UNIT 2 IS SUPPLIED BY BOILER 2. THE PLANT HAS A STACK FOR EACH BOILER PLUS A BYPASS STACK (THREE STACKS TOTAL). WHILE EACH BOILER NORMALLY EXHAUSTS THROUGH ITS OWN STAC AND THE BYPASS STACK IS USED FOR STARTUP OR EMERGENCY, EACH BOILER HAS THE CAPABILITY OF BEING EXHAUSTED THROUGH ANY OF THE THREE STACKS. AES CAYUGA STATION IS PERMITTED TO BURN BITUMINOUS COAL. ASSOCIATED WITH THE BOILERS ARE A COAL HANDLING SYSTEM (UNLOADING, CONVEYING, ETC.), NO. 2 OR DIESEL FUEL OIL SYSTEM (TANKS AND PIPING) USED FOR STARTUP, FLAME STABILIZATION, AND COAL CAR THAWING, LIMESTONE HANDLING SYSTEM (UNLOADING, CONVEYING, ETC.), AND OTHER MIS CELLANEOUS SOURCES AND ACTIVITIES RELATED TO THE OPERATION OF AN ELECTRIC GENERATING STATION.

Permit Structure and Description of Operations

The Title V permit for CAYUGA OPERATING COMPANY, LLC

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

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

CAYUGA OPERATING COMPANY, LLC is defined by the following emission unit(s):

Emission unit M00003 - This emission unit designates the coal handling system. The emission source is the Coal Storage Pile, CPILE; the process is the Coal Handling and Storage, CHS. Coal is delivered to Cayuga Station by train and truck. Rail cars are unloaded using a rotary car dumper in the coal unloading building. Frozen coal is thawed using heated air generated by burners firing



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Number 2 oil. The coal is dumped from the rail cars into a hopper, and is fed to an enclosed conveyor which transports the coal to the apron conveyor and onto the coal storage pile. Coal delivered by truck is dumped directly onto the coal storage pile. A bulldozer is used to shape the pile and reclaim coal from the storage pile by pushing the coal into a reclaim hopper. Two reclaim hoppers are used, each located in a different area of the coal pile to facilitate blending of coal from different sources. Each reclaim hopper discharges to an enclosed conveyor which transports the coal to the bunkers for Boiler 1 and Boiler 2.

All potential emissions from this emission unit are fugitive and there are no emission unit specific applicable requirements (i.e., only facility-wide requirements apply).

Process: CHS Coal handling and storage. Car dumpers; bull dozers; oil burners to defrost coal.

Emission unit M00002 - 500 hp (20.9 mmBtu/hr) Cleaver Brooks Firetube boiler; Emission Source AUXB1. No. 2 oil fired, used to generate low pressure steam for heating the building when boilers 1 and 2 are off line.

Emission unit M00002 is associated with the following emission points (EP):
20001

Process: AXB is located at Building BOILER - Auxilliary boiler (Emission Source AUX1) firing No. 2 oil. The boiler shall not fire in excess of 2000 hours per year.

Emission unit M00004 - Limestone and Gypsum Handling Systems. The following identifiers will be used: Emission Source LPILE designates the limestone storage pile; Emission Source LCONV designates the limestone belt conveyor; Emission Sources LIMS1 and LIMS2 designate the limestone storage bins 1 and 2; and Emission Sources LGRD1 and LGRD2 designate two limestone grinders.

Crushed limestone is delivered to Cayuga Station by truck and is either dumped onto the storage pile or directly into the reclaim hopper. A front end loader is used to shape the pile and transfer limestone to the reclaim hopper as needed. The reclaim hopper discharges through a feeder to a belt conveyor inside the reclaim facility building. An insertable dust collector is used at the transfer point with exhaust air recirculated to the building. The belt conveyor transports the limestone to storage bins LIMS1 and LIMS2 located in the FGD building. Outdoor portions of the conveyor are enclosed. An insertable dust collector is used at the belt conveyor discharge with exhaust air recirculated to the building. The two limestone storage bins are equipped with bin vent filters that discharge indoors. Each storage bin feeds a wet ball mill grinder used to prepare the grindstone slurry for use in the FGD system wet scrubber.

Spent limestone slurry from each wet scrubber (scrubber blowdown) is dewatered in a centrifuge located in the FGD building. The dewatered material (predominantly calcium sulfate, or gypsum) is transported to a storage pile in the Gypsum Storage Building via a series of belt conveyors. Outdoor portions of the belt conveyor are enclosed. The gypsum is loaded onto trucks using a front end loader and is sold for use in the construction products industry (e.g., wallboard, cement) or, if necessary, is transported to the on-site landfill where it is disposed with the boiler flyash.

All potential emissions from this emission unit are fugitive. The limestone belt conveyor, storage bins and wet ball mill grinders are affected facilities under 40 CFR Part 60, Subpart OOO, New Source Performance Standards for Nonmetallic Mineral Processing Plants.

Process: LH2 Limestone conveying, storage and grinding subject to NSPS Subpart OOO

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Process: LHS Limestone storage pile.

Emission unit M00001 - AES CAYUGA STATION IS AN ELECTRIC GENERATING STATION CONSISTING OF TWO GENERATOR UNITS. THE FOLLOWING IDENTIFIERS WILL BE USED IN RELATION TO THIS EMISSION UNIT. AES CAYUGA BOILERS: EMISSION UNIT M00001. AES CAYUGA STACK 1; EMISSION POINT NEW01. AES CAYUGA STACK 2, EMISSION POINT NEW02. AES CAYUGA BYPASS STACK, EMISSION POINT NEW03; BOILER 1, EMISSION SOURCE B0001. BOILER 1 ELECTROSTATIC PRECIPITATOR, EMISSION SOURCE ESP01. BOILER 1 FLUE GAS DESULFURIZATION SYSTEM, EMISSION SOURCE FDG01. BOILER 1 SELECTIVE CATALYTIC REDUCTION, EMISSION SOURCE SCR01. PROCESSES FOR BOILER 1 ARE: BURNING BITUMINOUS COAL, PROCESS P11; BURNING NO. 2 FUEL OIL, PROCESS P12; BURNING DIESEL FUEL, PROCESS P19. BOILER 2, EMISSION SOURCE B0002. BOILER 2 ELECTROSTATIC PRECIPITATOR, EMISSION SOURCE ESP02. BOILER 2 FLUE GAS DESULFURIZATION SYSTEM, EMISSION SOURCE FGD02. A PERMIT TO CONSTRUCT AND OPERATE A SELECTIVE CATALYTIC REDUCTION UNIT FOR BOILER 2 (EMISSION SOURCE SCR02) WAS ISSUED TO AES CAYUGA ON 9/5/00. CONSTRUCTION OF SCR02 MUST COMMENCE BY 8/1/01 OR ELSE AES CAYUGA MUST REAPPLY FOR APPROVAL TO COMMENCE CONSTRUCTION OF SCR02. PROCESSES FOR BOILER 2 ARE: BURNING BITUMINOUS COAL, PROCESS P21; BURNING NO. 2 FUEL OIL, PROCESS P22; BURNING DIESEL FUEL, PROCESS P29.

STEAM FOR GENERATING UNIT 1 IS SUPPLIED BY EMISSION SOURCE B0001. EMISSION SOURCE B0001 PRIMARILY EXHAUSTS THROUGH EMISSION POINT NEW01, BUT IT HAS THE CAPABILITY OF ALSO EXHAUSTING THROUGH EMISSION POINTS NEW02 AND NEW03. EMISSION SOURCE B0001 IS A COMBUSTION ENGINEERING DRY BOTTOM, TANGENTIALLY FIRED BOILER RATED AT 1,484 MMBTU/HR MAXIMUM HEAT INPUT. THE BOILER BURNS BITUMINOUS COAL AS ITS PRIMARY FUEL. NO. 2 FUEL OIL OR DIESEL FUEL IS USED FOR STARTUP AND FLAME STABILIZATION.

STEAM FOR GENERATING UNIT 2 IS SUPPLIED BY EMISSION SOURCE B0002. EMISSION SOURCE B0002 PRIMARILY EXHAUSTS THROUGH EMISSION POINT NEW02, BUT IT HAS THE CAPABILITY OF ALSO EXHAUSTING THROUGH EMISSION POINTS NEW01 AND NEW03. EMISSION SOURCE B0002 IS A COMBUSTION ENGINEERING DRY BOTTOM, TANGENTIALLY FIRED BOILER RATED AT 1,517 MMBTU/HR MAXIMUM HEAT INPUT. THE BOILER BURNS BITUMINOUS COAL AS ITS PRIMARY FUEL. NO. 2 FUEL OIL OR DIESEL FUEL IS USED FOR STARTUP AND FLAME STABILIZATION.

EMISSION SOURCES B0001 AND B0002 ARE EACH EQUIPPED WITH AN ELECTROSTATIC PRECIPITATOR TO CONTROL PARTICULATE MATTER EMISSIONS. THE PRECIPITATORS WERE COMPLETELY GUTTED AND REBUILT RECENTLY AS PART OF THE FLUE GAS DESULFURIZATION SYSTEM INSTALLATION. SULFUR DIOXIDE EMISSIONS ARE CONTROLLED BY A FLUE GAS DESULFURIZATION (FGD) SYSTEM CAPABLE OF UP TO 98% REMOVAL EFFICIENCY. THE FGD SYSTEM WAS INSTALLED AS PART OF THE DEPT OF ENERGY'S CLEAN COAL TECHNOLOGY DEMONSTRATION PROGRAM. THERE IS A MODULE FOR EACH BOILER, EACH MODULE HAS ITS OWN STACK. GENERALLY, EMISSION SOURCE B0001 IS CONTROLLED BY EMISSION SOURCE FGD01 AND EMISSION SOURCE B0002 IS CONTROLLED BY EMISSION SOURCE FGD02, BUT THE FGD SYSTEM IS DESIGNED SUCH THAT THE GAS FROM EITHER BOILER CAN BE TREATED BY EITHER MODULE. IN ADDITION, THERE IS A BYPASS STACK WHICH IS USED DURING A BOILER STARTUP AND IN THE CASE OF AN FGD MODULE PROBLEM. NITROGEN OXIDE EMISSIONS ARE CONTROLLED THROUGH THE USE OF A LEVEL III LOW NOX CONCENTRIC FIRING SYSTEM



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(LNCFS-III) INSTALLED ON EACH BOILER AND GOOD COMBUSTION PRACTICES. THE LNCFS-III WAS ALSO INSTALLED AS PART OF THE DOE CLEAN COAL TECHNOLOGY DEMONSTRATION PROJECT.

Emission unit M00001 is associated with the following emission points (EP):

NEW01, NEW02, NEW03

Process: P11 is located at GROUND, Building BOILER - EMISSION SOURCE B0001 FIRES BITUMINOUS COAL AS ITS BASELINE FUEL. PARTICULATE MATTER EMISSIONS ARE CONTROLLED BY THE USE OF AN ELECTROSTATIC PRECIPITATOR AND/OR A WET SCRUBBER AND MEASURED (WHEN REQUESTED BY DEC) AT THE STACK CURRENTLY IN USE BY EMISSION SOURCE B0001. SULFUR DIOXIDE EMISSIONS ARE CONTROLLED BY A FLUE GAS DESULFURIZATION SYSTEM. NITROGEN OXIDES EMISSIONS ARE CONTROLLED THROUGH THE USE OF LNCFS-III, GOOD COMBUSTION PRACTICES AND A SELECTIVE CATALYTIC REDUCTION UNIT AS REQUIRED. NITROGEN OXIDES ARE LIMITED ON A SYSTEM-WIDE BASIS AS ESTABLISHED IN AES NEW YORK'S NOX RACT COMPLIANCE PLAN. SULFUR DIOXIDE AND NITROGEN OXIDES EMISSIONS ARE MEASURED BY THE CONTINUOUS EMISSION MONITORING SYSTEMS ON THE STACKS.

Process: P12 is located at GROUND, Building BOILER - EMISSION SOURCE B0001 USES NO. 2 FUEL OIL AS A STARTUP FUEL AND FOR FLAME STABILIZATION. IT IS USED ON AN AS-NEEDED BASIS. FLUE GAS OPACITY IS CONTROLLED AS NECESSARY THROUGH THE USE OF ESP FIELDS AND/OR A WET SCRUBBER DURING STARTUP. THERE ARE NO SPECIFIC FUEL OIL CONTROLS FOR SULFUR DIOXIDE OR NITROGEN OXIDES EMISSIONS. SULFUR DIOXIDE AND NITROGEN OXIDES EMISSIONS ARE MEASURED BY THE CONTINUOUS EMISSION MONITORING SYSTEMS ON THE STACKS.

Process: P21 is located at GROUND, Building BOILER - EMISSION SOURCE B0002 FIRES BITUMINOUS COAL AS ITS PRIMARY FUEL. PARTICULATE MATTER EMISSIONS ARE CONTROLLED BY THE USE OF AN ELECTROSTATIC PRECIPITATOR AND/OR A WET SCRUBBER AND MEASURED (WHEN REQUESTED BY DEC) AT THE STACK CURRENTLY IN USE BY EMISSION SOURCE B0002. SULFUR DIOXIDE EMISSIONS ARE CONTROLLED BY A FLUE GAS DESULFURIZATION SYSTEM. NITROGEN OXIDES EMISSIONS ARE CONTROLLED THROUGH THE USE OF LNCFS-III, GOOD COMBUSTION PRACTICES AND A SELECTIVE CATALYTIC REDUCTION UNIT AS REQUIRED. NITROGEN OXIDES LIMITS ON A SYSTEM-WIDE BASIS ARE ESTABLISHED IN AES NEW YORK'S NOX RACT COMPLIANCE PLAN. SULFUR DIOXIDE AND NITROGEN OXIDES EMISSIONS ARE MEASURED BY THE CONTINUOUS EMISSION MONITORING SYSTEMS ON THE STACKS.

Process: P22 is located at GROUND, Building BOILER - EMISSION SOURCE B0002 USES NO. 2 FUEL OIL AS A STARTUP FUEL AND FOR FLAME STABILIZATION. IT IS USED ON AN AS-NEEDED BASIS. FLUE GAS OPACITY IS CONTROLLED AS NECESSARY THROUGH THE USE OF ESP FIELDS AND/OR A WET SCRUBBER DURING STARTUP. THERE ARE NO SPECIFIC FUEL OIL CONTROLS FOR SULFUR DIOXIDE OR NITROGEN OXIDES EMISSIONS. SULFUR DIOXIDE AND NITROGEN OXIDES EMISSIONS ARE MEASURED BY THE CONTINUOUS

Title V/Major Source Status

CAYUGA OPERATING COMPANY, LLC is subject to Title V requirements. This determination is based on the following information:

The facility is major for HAPs, SO₂, NO_x, PM, and CO.

Program Applicability

The following chart summarizes the applicability of CAYUGA OPERATING COMPANY, LLC with regards to the principal air pollution regulatory programs:

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

NOTES:

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

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

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



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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.

SCC Code

Description

1-01-002-02

EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION
ELECTRIC UTILITY BOILER - BITUMINOUS COAL PULVERIZED COAL: DRY BOTTOM (BITUMINOUS COAL)

1-01-005-01

EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION
ELECTRIC UTILITY BOILER - DISTILLATE OIL Grades 1 and 2 Oil

1-03-005-02

EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL
COMMERCIAL/INSTITUTIONAL BOILER -

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3-05-010-11	DISTILLATE OIL 10-100MMBTU/HR ** MINERAL PRODUCTS COAL MINING, CLEANING & MATL HANDLING (SEE 3-05-310 FOR DIFF UNITS) MINERAL PROD - COAL MINING, CLEANING & MATL HANDL: COAL TRANSFER
3-05-101-05	MINERAL PRODUCTS MINERAL PRODUCTS - BULK MATERIALS CONVEYORS Limestone
3-05-103-05	MINERAL PRODUCTS MINERAL PRODUCTS - BULK MATERIALS OPEN STOCKPILES Limestone

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	
000630-08-0	CARBON MONOXIDE		>= 250 tpy but < 75,000 tpy
0NY100-00-0	HAP		>= 250 tpy but < 75,000 tpy
007647-01-0	HYDROGEN CHLORIDE		>= 10 tpy
007439-92-1	LEAD		> 0 but < 10 tpy
007439-97-6	MERCURY		
0NY210-00-0	OXIDES OF NITROGEN		>= 250 tpy but < 75,000 tpy
0NY075-00-0	PARTICULATES		>= 250 tpy but < 75,000 tpy
0NY075-00-5	PM-10		>= 250 tpy but < 75,000 tpy
007446-09-5	SULFUR DIOXIDE		>= 250 tpy but < 75,000 tpy
0NY998-00-0	VOC		>= 25 tpy but < 40 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS



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Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 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 201-6.3(a)(4)

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

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

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

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

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

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and



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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 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 201-6.5(a)(6)

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

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

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

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

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

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

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

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



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- 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 2 01-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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**Item A: General Provisions for State Enforceable Permit Terms and Condition - 6
 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
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FACILITY	ECL 19-0301	67	Powers and Duties of the Department with respect to air pollution control
M-00004	40CFR 60-000.672 (e)	66	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
M-00002	40CFR 63-DDDDD.7545 (b)	65	Industrial/Commercial /Institutional Boiler NESHA - Notifications
FACILITY	40CFR 64.6	44	CAM - Approval of Monitoring
FACILITY	40CFR 68	21	Chemical accident prevention provisions
FACILITY	40CFR 72-A.6 (a) (1)	45	The Title IV Phase 1 units are at Dunkirk, Greenidge, Milliken, Northport and Port Jefferson stations only.
M-00001	40CFR 72-A.6 (a) (2)	49	The Facilities which are in Phase 2 of Title IV and are listed in Table 2 or 3 of 40 CFR Part 73.10.
FACILITY	40CFR 82-F	22	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient

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FACILITY	6NYCRR 200.7	10	air quality.
FACILITY	6NYCRR 201-1.4	68	Maintenance of equipment.
M-00001	6NYCRR 201-1.4	94	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
			Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	23, 46, 47	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (4)	15	General conditions
FACILITY	6NYCRR 201-6.5 (a) (7)	2	General conditions
FACILITY	6NYCRR 201-6.5 (a) (8)	16	Fees
FACILITY	6NYCRR 201-6.5 (b) (2)	24	General conditions
			Standard permit requirements - permit conditions for monitoring
FACILITY	6NYCRR 201-6.5 (c)	3	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (c) (2)	4	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (c) (3)	25	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (c) (3) (ii)	5	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (d) (5)	17	Compliance schedules
FACILITY	6NYCRR 201-6.5 (e)	6	Compliance Certification
M-00001	6NYCRR 201-6.5 (f)	48	Operational flexibility
FACILITY	6NYCRR 201-6.5 (f) (6)	18	Off Permit Changes
FACILITY	6NYCRR 202-1.1	19	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 204	26	NOx Budget Trading Program
FACILITY	6NYCRR 211.2	69	General Prohibitions - visible emissions limited.

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FACILITY	6NYCRR 211.3	20	General Prohibitions - visible emissions limited
FACILITY	6NYCRR 215	9	Open Fires
M-00001/-/P12/B0001	6NYCRR 225-1.2 (d)	53	Sulfur-in-fuel limitations - Table 2
M-00001/-/P22/B0002	6NYCRR 225-1.2 (d)	57	Sulfur-in-fuel limitations - Table 2
M-00001/-/P11/B0001	6NYCRR 225-1.5 (b)	50, 51, 52	General Variances Equivalent Emission Rate.
M-00001/-/P21/B0002	6NYCRR 225-1.5 (b)	54, 55, 56	General Variances Equivalent Emission Rate.
M-00001/NEW01	6NYCRR 225-1.7 (c)	58	Emission and fuel monitoring.
M-00001/NEW02	6NYCRR 225-1.7 (c)	60	Emission and fuel monitoring.
FACILITY	6NYCRR 227-1.2 (a) (3)	27	Particulate Emissions Firing Solid Fuel. (see narrative)
M-00001/NEW01	6NYCRR 227-1.3	59	Smoke Emission Limitations.
M-00001/NEW02	6NYCRR 227-1.3	61	Smoke Emission Limitations.
M-00001/NEW03	6NYCRR 227-1.3	62	Smoke Emission Limitations.
M-00002	6NYCRR 227-1.3 (a)	63	Smoke Emission Limitations.
M-00002	6NYCRR 227-2.4 (d)	64	RACT for Oxides of Nitrogen - small boilers.
FACILITY	6NYCRR 227-2.5 (b)	28	System-wide averaging option.
FACILITY	6NYCRR 237-1.6 (c)	70	Nitrogen oxides requirements
FACILITY	6NYCRR 237-1.6 (e)	71	Recordkeeping and reporting requirements
FACILITY	6NYCRR 237-2	72	NOx Authorized account representative for NOx budget sources
FACILITY	6NYCRR 237-4.1	73	Compliance certification report.
FACILITY	6NYCRR 237-7.1	74	Submission of NOx allowance transfers
FACILITY	6NYCRR 238-1.6 (c)	75	Sulfur Dioxide requirements
FACILITY	6NYCRR 238-1.6 (e)	76	Recordkeeping and Reporting Requirements
FACILITY	6NYCRR 238-2.1	77	Authorization/respons ibilities of the authorized account representative
FACILITY	6NYCRR 238-4.1	78	Compliance certification report
FACILITY	6NYCRR 238-7.1	79	Submission of SO2 allowance transfers
FACILITY	6NYCRR 238-8	80	Monitoring and

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FACILITY	6NYCRR 243-1.6 (c)	29	Reporting NOx Ozone Season Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (d)	30	Excess Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (e)	31	Recordkeeping and reporting requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-2.1	32	Authorization and responsibilities - CAIR Designated Representative
FACILITY	6NYCRR 243-8.1	33, 34	General Requirements - Monitoring and Reporting
FACILITY	6NYCRR 243-8.3	35	Out of control periods - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5 (d)	36	Quarterly reports re: recordkeeping and reporting -
FACILITY	6NYCRR 243-8.5 (e)	37	Monitoring and Reporting Compliance certification re: recordkeeping and reporting -
FACILITY	6NYCRR 244-1	38	Monitoring and Reporting CAIR NOx Ozone Annual Trading Program
FACILITY	6NYCRR 244-2	39	General Provisions CAIR Designated Representative for CAIR NOx Sources
FACILITY	6NYCRR 244-8	40	Monitoring and Reporting CAIR NOx Allowances
FACILITY	6NYCRR 245-1	41	CAIR SO2 Trading Program General Provisions
FACILITY	6NYCRR 245-2	42	CAIR Designated Representative for CAIR SO2 Sources
FACILITY	6NYCRR 245-8	43	Monitoring and Reporting for CAIR SO2 Trading Program
FACILITY	6NYCRR 246.11 (a)	89	Record Keeping Provisions
FACILITY	6NYCRR 246.11 (b)	90	Reporting Provisions
FACILITY	6NYCRR 246.11 (c)	91	Certification Application
FACILITY	6NYCRR 246.11 (d)	92	Quarterly Reports
FACILITY	6NYCRR 246.11 (e)	93	Compliance Certification
FACILITY	6NYCRR 246.3	81	Standard Requirements
FACILITY	6NYCRR 246.5	82	Mercury Reduction

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FACILITY	6NYCRR 246.5 (b)	83	Program Facility-wide Emission Limits for Existing Facilities Mercury Reduction Program Facility-wide Limits and Requirements for Existing Facilities Mercury Reduction Program Unit Emission Limits for New and Existing Units Monitoring and Reporting
FACILITY	6NYCRR 246.6	84	Initial Certification Procedures for CEMS Recertification Procedures for CEMS Approval Process for Monitoring Certification and Recertification
FACILITY	6NYCRR 246.7	85	Missing Data Procedures and Out of Control Periods for Continuous Monitoring Systems
FACILITY	6NYCRR 246.8 (c) (1)	86	
FACILITY	6NYCRR 246.8 (c) (2)	87	
M-00001	6NYCRR 246.8 (c) (3)	95	
FACILITY	6NYCRR 246.9	88	

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

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air



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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 201-6.5 (a) (4)

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

6 NYCRR 201-6.5 (a) (7)

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

6 NYCRR 201-6.5 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 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.

6 NYCRR 201-6.5 (c) (2)



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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 201-6.5 (c) (3)

This regulation specifies that the permit incorporate all reporting requirements associated with an applicable federal rule, the submittal of any required monitoring reports at least every 6 months, and the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 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.

6 NYCRR 201-6.5 (d) (5)

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

6 NYCRR 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.

6 NYCRR 201-6.5 (f) (6)

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

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.



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6 NYCRR Part 215

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or 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, CAYUGA OPERATING COMPANY, LLC has been determined to be subject to the following regulations:

40 CFR 60.672 (e)

NSPS Subpart OOO imposes requirements on limestone processing at power plants. The DEC has included a condition to monitor emissions of particulate matter and opacity from building vents that enclose the affected sources.

40 CFR 63.7545 (b)

This condition specifies that the facility will need to submit an initial notification to NYSDEC by March 12, 2005 and lists what the notification should include.

40 CFR 64.6

AES Cayuga failed to submit to the DEC an acceptable Compliance Assurance Monitoring plan. Pursuant to the CAM regulations, the DEC is required to include in the Title V permit a condition requiring compliance with CAM. This condition is intended to fulfill that obligation.

40 CFR 72.6 (a) (1)

This section references a table containing the list of utilities affected by Phase I of Title IV of the Clean Air Act.

40 CFR 72.6 (a) (2)

This section references tables containing a list of utilities affected by Phase II of Title IV of the Clean Air Act. It also references the exceptions, or those that are exempt.

6 NYCRR 201-6.5 (b) (2)

This regulation requires that each Title V permit that contains an applicable requirements which does not specify any periodic testing or monitoring, the permit shall include periodic monitoring sufficient to demonstrate compliance. These monitoring requirements shall assure the use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirements.



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6 NYCRR 201-6.5 (f)

This regulation defines in general terms under what circumstances changes would be allowed without a permit modification provided the permit contains sufficient operational flexibility provisions.

6 NYCRR 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)

6 NYCRR 225-1.5 (b)

This regulation allows the Commissioner of NYSDEC to grant a variance from the sulfur-in-fuel limitations in Tables 1,2 or 3 of 6 NYCRR Part 225-1.2 if the source owner can demonstrate that the emissions of sulfur dioxide will be not be greater than if compliant fuel was used.

6 NYCRR 225-1.7 (c)

This regulation requires that measurements be made daily of the rate of each fuel burned, the gross heat content and ash content of each fuel burned (determined at least once per week), and the average electrical output (daily) and hourly generation rate.

6 NYCRR 227-1.2 (a) (3)

This paragraph only applies to facilities with heat inputs greater than 250 mmBtu/hr which submitted an application for a permit to construct after August 11, 1972.

6 NYCRR 227-1.3

This regulation requires a limitation and compliance monitoring for opacity from a 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 227-2.4 (d)

This rule specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up.

6 NYCRR 227-2.5 (b)

The system-wide average shall consist of a weighted average allowable emission rate based upon the weighted average of actual emissions from units that are operating. Excess reductions utilized in the system-wide average may only be counted from the lowest allowable emission rate. Simply put, if there is a more stringent emission limit than RACT already in place on the unit, then excess reductions may only be counted from below that emission rate.

6 NYCRR 237-1.6 (c)

This subdivision outlines the standard requirements of the Acid Deposition Reduction NOx Budget Trading Program for oxides of nitrogen.

6 NYCRR 237-1.6 (e)

This requires the owners and operators of the NOx budget source and each NOx budget unit at the source to keep pertinent documents at the site for a period of 5 years; and lists which documents are pertinent.



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6 NYCRR 237-4.1

This item specifies the requirements of the compliance certification report.

6 NYCRR 237-7.1

This item specifies what information and actions are necessary in order to record the transfer of NOx allowances. t

6 NYCRR 238-1.6 (c)

This Item requires the owners and operators of each SO2 budget source and each SO2 budget unit to hold SO2 allowances available for compliance deductions under NYCRR 238-6.5; and how such allowances will be managed.

6 NYCRR 238-1.6 (e)

This item requires the owners and operators of the SO2 budget source to keep on site at the source pertinent documents for a period of 5 years from the date the document is created.

6 NYCRR 238-2.1

This section outlines the authorization and responsibilities of the SO2 authorized account representative.

6 NYCRR 238-4.1

This section lists all of the requirements for the submission of the compliance certification report.

6 NYCRR 238-7.1

This section outlines the requirements for the submission of SO2 allowance transfers.

6 NYCRR 243-1.6 (c)

The source owner is required to hold enough allowances to cover its emissions for each control period.

6 NYCRR 243-1.6 (d)

The owner of a source subject to the CAIR NOx budget must surrender allowances if NOx emissions exceed the NOx allowances held in the compliance account.

6 NYCRR 243-1.6 (e)

The owners of a CAIR NOx budget source is required to keep certain records that document compliance.

6 NYCRR 243-2.1

The owner's designated representative is required to sign a certification when he or she makes submissions.

6 NYCRR 243-8.1

The owners or operators shall monitor emissions pursuant to the Acid Rain Program regulations and account for all emissions

6 NYCRR 243-8.3

This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains what to do when an emission monitoring system fails quality assurance, quality control, or data validation requirements.

6 NYCRR 243-8.5 (d)



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The owner or operator is prohibited from shutting down or disrupting the emissions monitoring equipment, and must account for all emissions.

6 NYCRR 243-8.5 (e)

This citation of the Clean Air Interstate Rule (CAIR) NO_x Ozone Season Trading Program explains the compliance certification requirements the source must follow for each quarterly report.

6 NYCRR 246.11 (a)

This citation requires a mercury reduction program facility to comply with the record keeping requirements of 6NYCRR Part 246.11 and of 40 CFR 75.84(a) through (c) of the Acid Rain Program.

6 NYCRR 246.11 (b)

This citation requires mercury reduction program facilities to comply with the reporting requirements of 6 NYCRR 246.11 and of 40 CFR 75.84(d) through (f) of the Acid Rain Program.

6 NYCRR 246.11 (c)

This citation requires mercury reduction program facilities to submit an application when the certification testing is completed.

6 NYCRR 246.11 (d)

This citation requires mercury reduction program facilities to submit quarterly reports electronically that include mercury emissions, heat input and other required information in the manner specified in 40 CFR 75.84(f). The reports for sources subject to the Acid Rain Program or the Clean Air Interstate Rule (CAIR) for oxides of nitrogen or sulfur dioxide shall include the applicable data required by 40 CFR 75 subparts F through H and 6 NYCRR 246.7 through 246.13.

6 NYCRR 246.11 (e)

This citation requires mercury reduction program facilities to submit a compliance certification statement in support of each quarterly report. It also lists the information that must be certified.

6 NYCRR 246.3

This regulation sets forth the standard requirements of the mercury reduction program. Facilities subject to the regulation must analyze the emissions from their facilities to determine the total emissions of mercury.

6 NYCRR 246.5

This regulation sets forth the mercury emissions limitations for this facility.

6 NYCRR 246.5 (b)

This citation limits a mercury reduction program facility's annual mercury emissions and describes the emission averaging method.

6 NYCRR 246.6

This regulation sets forth the mercury emissions limit for new facilities. These emissions shall not exceed 0.6 pounds of mercury per trillion Btu (0.6 lb Hg/TBtu) from the firing of coal or coal-derived fuel

6 NYCRR 246.7

This regulation sets forth the monitoring and reporting requirements for facilities subject to the mercury reduction program.



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6 NYCRR 246.8 (c) (1)

This citation states the procedures that a mercury reduction facility must follow to initially certify their mercury monitoring system.

6 NYCRR 246.8 (c) (2)

This citation states the procedures that a mercury reduction facility must follow to recertify their mercury monitoring system.

6 NYCRR 246.8 (c) (3)

This citation states the process that a mercury reduction facility must follow to initially certify or recertify their mercury monitoring system.

6 NYCRR 246.9

This regulation sets forth the procedures to be used to account for data that is missing from monitoring systems or during times when the monitoring systems are not in operation.

6 NYCRR Part 204

The facility is subject to the NOx budget requirements of 6 NYCRR 204.

6 NYCRR Subpart 237-2

This condition requires the permittee to select and authorize one person to manage, and represent the owners of any NOx budget unit; and specifies the responsibilities of this NOx authorized account representative

6 NYCRR Subpart 238-8

This condition requires the owner or operator of the facility to comply with the reporting and record keeping requirements of 40 CFR Part 75.

6 NYCRR Subpart 244-1

The owners or operators of a CAIR NOx annual budget source must hold enough allowances in their account to cover their emissions.

6 NYCRR Subpart 244-2

The owner's designated representative must certify various submissions to the DEC.

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

6 NYCRR Subpart 245-1

The owners or operators of a CAIR SO2 budget source must hold enough allowances to cover its emissions; surrender allowances if there are excess emissions; and keep certain records showing compliance.

6 NYCRR Subpart 245-2

The owner's designated representative must certify certain submissions.

6 NYCRR Subpart 245-8



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The owner or operator of a CAIR SO₂ annual budget source must monitor its emissions, not shut down or disrupt the monitoring system and account for all emissions.

Compliance Certification

Summary of monitoring activities at CAYUGA OPERATING COMPANY, LLC:

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

M-00004	66	record keeping/maintenance procedures
M-00002	65	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
M-00001	94	record keeping/maintenance procedures
FACILITY	24	intermittent emission testing
FACILITY	25	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
M-00001	48	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
M-00001/-/P12/B0001	53	monitoring of process or control device parameters as surrogate
M-00001/-/P22/B0002	57	monitoring of process or control device parameters as surrogate
M-00001/-/P11/B0001	50	continuous emission monitoring (cem)
M-00001/-/P11/B0001	51	continuous emission monitoring (cem)
M-00001/-/P11/B0001	52	continuous emission monitoring (cem)
M-00001/-/P21/B0002	54	continuous emission monitoring (cem)
M-00001/-/P21/B0002	55	continuous emission monitoring (cem)
M-00001/-/P21/B0002	56	continuous emission monitoring (cem)
M-00001/NEW01	58	record keeping/maintenance procedures
M-00001/NEW02	60	record keeping/maintenance procedures
FACILITY	27	intermittent emission testing
M-00001/NEW01	59	continuous emission monitoring (cem)
M-00001/NEW02	61	continuous emission monitoring (cem)
M-00001/NEW03	62	continuous emission monitoring (cem)
M-00002	63	monitoring of process or control device parameters as surrogate
M-00002	64	record keeping/maintenance procedures
FACILITY	28	continuous emission monitoring (cem)
FACILITY	70	record keeping/maintenance procedures
FACILITY	73	record keeping/maintenance procedures
FACILITY	75	record keeping/maintenance procedures
FACILITY	78	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	89	record keeping/maintenance procedures
FACILITY	90	record keeping/maintenance procedures
FACILITY	91	record keeping/maintenance procedures
FACILITY	92	record keeping/maintenance procedures
FACILITY	93	record keeping/maintenance procedures
FACILITY	83	continuous emission monitoring (cem)
M-00001	95	record keeping/maintenance procedures

Basis for Monitoring

The facility operates and maintains a continuous opacity monitor (to monitor compliance with 6 NYCRR



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22701), SO₂ (for Part 225 compliance as well as acid rain and Part 238 requirements), and NO_x (to demonstrate compliance with 6 NYCRR Part 227-2, Part 204, Part 237 and 40 CFR Part 76 emission limits).