

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 9-0412-00042/00011 Modification Number: 1



12/19/2002

Facility Identification Data

Name: INDECK OLEAN ENERGY CENTER
Address: 140 MOORE AVENUE
City: OLEAN
Zip: 14760

Owner/Firm

Name: INDECK-OLEAN LIMITED PARTNERSHIP
City: BUFFALO GROVE
State: IL Country: USA Zip: 60089
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
Name: DAVID S DENK

Division of Air Resources:
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Air Permitting Contact:
Name: JOHN E HARE
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140 MOORE AVENUE
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Permit Description

Introduction

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

Summary Description of Proposed Project

MOD 1 - This is a minor modification of the existing Title V Permit. The changes will:

- 1) Clarify that the facility can operate at peak load (108% of base load) for up to 500 hrs per year. Initial modeling for compliance with ambient air quality standards was conducted considering peak load operations, but it was overlooked and not included in the special conditions that were part of Indeck

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Olean's operating permit. The Title V minor permit modification will add this to the Title V permit. This does not affect the applicability of any regulations, including New Source Review.

2) This permit has a format different than the original - boiler plate conditions will be identified alphabetically and monitoring conditions will be identified numerically. Conditions with the format 1-# are conditions added by this modification.

Attainment Status

INDECK OLEAN ENERGY CENTER is located in the town of OLEAN in the county of CATTARAUGUS.

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* ATTAINMENT)	TRANSPORT REGION (NON-
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

This facility is a co-generation plant furnishing steam to Dresser Rand and electricity to Niagara Mohawk. The facility is a combined-cycle gas turbine utilizing a GE Frame 6 gas turbine, an HRSG with duct burner, a SCR for NOx control and a Dresser Rand steam turbine. The plant is operated from a centralized control room through a Westinghouse Distributed Control System (WDCS). Circulating water is cooled through a three-cell wet cooling tower. Natural gas is the primary fuel for both the GT and DB. Number 2 distillate oil is the backup fuel for both units. A 395,000 gallon storage tank is provided for fuel oil storage. The facility operates between 80% and 100% load, but may also operate at peak-load (108%) for a limited time. Oil firing is limited to 1440 hours annually for both the GT and DB. Total operating hours are not limited. The GT is equipped with steam injection for NOx control. The DB utilizes low-nox burners. SCR controls facility NOx emissions to 9/18 ppm for gas/oil firing,

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respectively. This constitutes BACT.

Permit Structure and Description of Operations

The Title V permit for INDECK OLEAN ENERGY CENTER 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.

INDECK OLEAN ENERGY CENTER is defined by the following emission unit(s):

Emission unit O00001 - This emission unit consists of a combustion gas turbine and associated electric generator, duct burners with a heat recovery steam generator and steam driven electric generator, and a selective catalytic reduction system venting into one stack. The gas turbine and duct burner only fire natural gas and/or #2 fuel oil.

Emission unit O00001 is associated with the following emission points (EP):
00001

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

Process: 100 is located at Building 1 - GE Frame 6 combustion gas turbine firing on natural gas, no duct burner firing.

Process: 200 is located at Building 1 - GE Frame 6 combustion gas turbine firing on distillate oil, no duct burner firing.

Process: 500 is located at Building 1 - GE Frame 6 combustion gas turbine and duct burner both firing natural gas.

Process: 600 is located at Building 1 - GE Frame 6 combustion gas turbine firing distillate oil and the duct burner firing either natural gas or distillate oil.

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Title V/Major Source Status

INDECK OLEAN ENERGY CENTER is subject to Title V requirements. This determination is based on the following information:

This is a major source because the potential to emit (PTE) NOx (125 tpy), CO (156 tpy), and SO2 (138 tpy), are all greater than the major source threshold PTE of 100 tpy.

Program Applicability

The following chart summarizes the applicability of INDECK OLEAN ENERGY CENTER 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	NO
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

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

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

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

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

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

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

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

Compliance Status

Facility is in compliance with all requirements

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the

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

SIC Code	Description
4911	ELECTRIC SERVICES

SCC Codes

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

SCC Code	Description
2-02-001-03	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Turbine: Cogeneration
2-02-002-03	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - NATURAL GAS Turbine: Cogeneration

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

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Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
007664-41-7	AMMONIA		>= 25 tpy but < 40 tpy
007440-38-2	ARSENIC (HAP)		> 0 but < 10 tpy
007440-43-9	CADMIUM (HAP)		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE	313106	
007440-47-3	CHROMIUM (HAP)		> 0 but < 10 tpy
0NY064-29-0	COPPER (CU 064)		> 0 but < 2.5 tpy
000050-00-0	FORMALDEHYDE (HAP)		> 0 but < 10 tpy
0NY100-00-0	HAP		> 0 but < 10 tpy
007439-92-1	LEAD (HAP)		> 0 but < 10 tpy
007439-96-5	MANGANESE (HAP)		> 0 but < 10 tpy
007439-97-6	MERCURY (HAP)		> 0 but < 10 tpy
0NY059-28-0	NICKEL (NI 059) (HAP)		>= 2.5 tpy but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	250668	
0NY075-00-0	PARTICULATES		>= 50 tpy but < 100 tpy
0NY075-00-5	PM-10		>= 50 tpy but < 100 tpy
007782-49-2	SELENIUM (HAP)		> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE	276013	
007440-62-2	VANADIUM		> 0 but < 2.5 tpy
0NY998-00-0	VOC		>= 40 tpy but < 50 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit

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air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

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

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

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or

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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 F: Recycling and Salvage - 6NYCRR Part 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

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

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

Item I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining

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compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, 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.

Item K: 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 L: 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 M: 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 N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a

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permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Item P: Cessation or Reduction of Permitted Activity Not a Defense - 6NYCRR Part 201-6.5(a)(5)

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

Item Q: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

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

Item R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

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iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Item T: 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 U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit

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or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 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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Item AA: Open Fires - 6 NYCRR Part 215
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item BB: 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 CC: 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.

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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.

Applicability Discussion:

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

ECL 19-301.

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

6NYCRR Part 201-1.4

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

6NYCRR Part 201-6

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

6NYCRR Part 201-6.5(c)

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

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

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

6NYCRR Part 201-6.5(e)

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

6NYCRR Part 202-2.1

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

6NYCRR Part 202-2.5

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

6NYCRR Part 211-.2

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

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.

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Facility Specific Requirements

In addition to Title V, INDECK OLEAN ENERGY CENTER has been determined to be subject to the following regulations:

40CFR 52-A.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration (PSD) 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) . However, this facility has accepted operational and emission limitations to avoid the requirements of PSD. These capping conditions are cited under 40 CFR 50-A.21.

40CFR 60-A.11

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

40CFR 60-A.13 (a)

This regulation specifies that all New Source Performance Standard (NSPS) affected sources that are required to have continuous monitoring systems (CMS) are subject to the requirements of Appendix B of 40 CFR Part 60, and if the CMS is used to demonstrate compliance with emission limits on a continuous basis, then it is also subject to Appendix F of 40 CFR Part 60.

40CFR 60-A.13 (c)

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

40CFR 60-A.13 (d)

This regulation contains the requirements for daily drift testing for continuous monitoring systems required by 40 CFR Part 60.

40CFR 60-A.13 (e)

This regulation specifies minimum frequency of operation requirements for continuous monitoring systems required by 40 CFR Part 60.

40CFR 60-A.13 (h)

This regulation specifies the data averaging requirements for continuous monitoring systems subject to 40 CFR Part 60.

40CFR 60-A.4

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

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40CFR 60-A.7 (b)

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

40CFR 60-A.7 (c)

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

40CFR 60-A.7 (d)

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

40CFR 60-Db.42b (j)

This requirement states that the percent reduction requirements in sulfur emissions do not apply to facilities that combust only very low sulfur oil. The owner or operator must demonstrate that the oil meets the definition of very low sulfur oil through methods found in this citation.

40CFR 60-Db.43b (f)

This regulation specifies maximum allowable opacity for affected sources. The **SIX-MINUTE AVERAGE** opacity of the emissions may not exceed 20%, except for one six-minute period when the maximum opacity may not exceed 27%.

40CFR 60-Db.43b (g)

This regulation specifies that the particulate matter and opacity standards apply at all times, except during periods of startup, shutdown or malfunction.

40CFR 60-Db.44b (a) (4) (i)

This requirement sets the nitrogen oxide limit from duct burners used in a combined cycle system that burns natural gas or distillate oil.

40CFR 60-Db.45b (j)

This regulation specifies that owners or operators that combust very low sulfur oil are not subject to compliance and performance testing requirements for Sulfur Dioxide if they obtain fuel receipts as described in 40 CFR 60.49b(r)

40CFR 60-Db.46b (f)

This requirement prescribes the method to determine compliance with the emission limit for nitrogen oxides required by 40 CFR 60.44b(a)(4) for duct burners used in combined systems.

40CFR 60-Db.47b (f)

Facilities combusting very low sulfur oil are not subject to emission monitoring requirements of the section if they obtain fuel receipts as described in 40 CFR 60-Db.49b(r).

40CFR 60-Db.48b (a)

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This requirement requires a facility subject to the opacity standard in 40 CFR 60.43b to install, calibrate, maintain, and operate a continuous opacity monitoring system for measuring and recording opacity.

40CFR 60-Db.48b (b)

This requirement requires a facility subject to the nitrogen oxide standards under 40 CFR 60.44b to install, calibrate, maintain, and operate a continuous monitoring system for measuring and recording nitrogen oxide emissions.

40CFR 60-Db.48b (c)

This regulation requires that the continuous monitoring system (CMS) and data recorder for nitrogen oxides be operated during all periods of operation of the affected facility except for CMS breakdowns and repairs. Data must be recorded during calibration checks, and zero and span adjustments.

40CFR 60-Db.48b (e) (2)

This requirement sets the span values for the nitrogen oxide continuous monitoring system.

40CFR 60-Db.48b (f)

This regulation requires that standby methods of obtaining minimum emissions data for oxides of nitrogen be specified by the source owner or operator.

40CFR 60-Db.49b (d)

This requirement requires the owner or operator to record and maintain records of the amount of each type of fuel combusted during each day and calculate the annual capacity factor for each type of fuel.

40CFR 60-Db.49b (f)

This requirement requires facilities subject to the opacity standard in 40 CFR 60.43b to maintain records of opacity.

40CFR 60-Db.49b (g)

This requirement lists the information that must be recorded during each steam generating unit operating day by facilities subject to the nitrogen oxide standards under 40 CFR 60.44b.

40CFR 60-Db.49b (i)

This requirement requires facilities subject to the continuous monitoring requirements for nitrogen oxides under 40 CFR 60.48b to submit a quarterly report containing the information that is required to be recorded by 40 CFR 60.49b(g). The submission must be postmarked within 30 days of the end of the calendar quarter.

40CFR 60-Db.49b (r)

This regulation specifies that owners or operators that combust very low sulfur oil are required to obtain fuel receipts. The oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition was combusted. Very low sulfur oil is defined as having less than 0.8% by weight sulfur, however the facility has accepted a fuel oil sulfur limit of 0.25% by weight to avoid PSD. They still need to keep receipts to demonstrate compliance.

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40CFR 60-GG.332 (a) (1)

This regulation provides the equation to be used to determine the allowable emissions of oxides of nitrogen (NO_x) from a gas turbine with a heat input greater than 100 million BTU per hour.

40CFR 60-GG.332 (b)

This regulation provides the equation to be used to determine the emissions limit for oxides of nitrogen (NO_x) from gas turbines with a heat input greater than 100 million BTU per hour.

40CFR 60-GG.333 (b)

This regulation limits the amount of sulfur in the fuel burned in a gas turbine to 0.8% by weight. To avoid PSD requirements the facility limited the sulfur content of the fuel oil it can burn to 0.25% by weight which is more restrictive than this NSPS requirement.

40CFR 60-GG.334 (a)

This regulation requires the owner or operator of any stationary gas turbine subject to the provisions of 40CFR60 Subpart GG that is using water injection to control NO_x emissions to install and operate a continuous monitoring system to monitor and record fuel consumption and the ratio of water to fuel fired in the turbine.

40CFR 60-GG.334 (b)

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

40CFR 60-GG.334 (b) (1)

This regulation requires the sulfur content of the fuel fired in the gas turbine to be tested each time the storage tank for the fuel is filled. EPA approved an alternate fuel oil sampling program where fuel oil is tested from each batch delivered.

40CFR 60-GG.334 (b) (2)

This regulation requires the owner or operator of a gas turbine which is supplied its fuel without intermediate bulk storage to determine and record the sulfur content and nitrogen content of fuel being fired in the turbine daily. The owners, operators or fuel vendors may develop custom schedules for determination of these values. These custom schedules must be approved by the Administrator before they can be used to determine compliance with this requirement.

This facility has an EPA approved, alternate fuel testing program where natural gas is sampled and analyzed monthly instead of daily.

40CFR 60-GG.334 (c) (1)

This regulation requires the owner or operator of a gas turbine to report any excess emissions of oxides of nitrogen (NO_x) on a quarterly basis.

40CFR 60-GG.334 (c) (2)

This regulation requires the owner or operator of the gas turbine to report any excess emissions of sulfur dioxide on a quarterly basis.

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40CFR 60-GG.334 (c) (3)

This regulation allows the owner or operator of the gas turbine that uses water injection for control of NO_x emissions to be exempt from 40CFR60.332(a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine. The owner or operator must report all times that this situation occurs on a quarterly basis.

40CFR 60-GG.334 (c) (4)

This regulation allows the owner or operator of a gas turbine with a heat input greater than or equal to 10 million Btu/hour when firing natural gas, to be exempt from the NO_x standard for peak load conditions found in 40CFR60.332(a)(2), when being fired with an emergency fuel.

40CFR 60-GG.335 (a)

This regulation requires that, when computing the nitrogen oxide emissions from the gas turbine, the owner or operator use analytical methods and procedures that are accurate to within 5 percent and are approved by the Administrator to determine nitrogen content of the fuel being fired.

40CFR 60-GG.335 (b)

This regulation requires the owner or operator of the gas turbine to use the methods and procedures found in 40 CFR 60 Appendix A when doing the testing to determine the emissions of air pollutants from the turbine.

40CFR 60-GG.335 (c) (1)

This regulation provides the equation to be used to determine the emission rate of oxides of nitrogen from the turbine.

40CFR 60-GG.335 (c) (2)

This regulation requires that the continuous emissions monitoring device used to monitor the emissions from the gas turbine be tested at the minimum, maximum and other operating levels as appropriate.

40CFR 60-GG.335 (c) (3)

This regulation requires that Method 20 be used for determining the nitrogen oxide, sulfur dioxide, and oxygen concentrations in the emissions from the gas turbine.

40CFR 60-GG.335 (d)

This regulation requires the owner or operator of the gas turbine to use the following methods to determine compliance with the sulfur content standard in 40 CFR 60.335(b): ASTM D 2880-71 for liquid fuels and ASTM 1072-80, D 3031-81, D 4084-82, or D 3246-81 for gaseous fuels

40CFR 60-GG.335 (e)

This regulation requires the owner or operator of the gas turbine to use the methods specified in 40 CFR 335(a) and (d) to determine the nitrogen and sulfur content of fuels being burned. The analysis may be performed by the owner or operator, a service contractor, the fuel vendor, or any qualified agency

6NYCRR 201-1.1 (a)

This Part requires owners and/or operators of air contamination sources to obtain a permit or registration certificate from the Department for the operation of such sources.

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

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

6NYCRR 227-1.2 (a) (1)

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

6NYCRR 227-1.3 (c)

This requirement allows an equivalent opacity standard which is less stringent than the standard opacity limit cited in 6 NYCRR 227-1.3(a). Indeck Olean meets the requirements that allow the use of this equivalent standard for the facility. While the initial permit was being written the standard opacity limit was being changed to match the opacity limit in the Combustion Source New Source Performance Standards (NSPS) of 40 CFR 60. The opacity limit in this permit is the same as what the standard opacity limit is being changed to - No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six-minute average), except for one six-minute period per hour of not more than 27 percent opacity.

Compliance Certification

Summary of monitoring activities at INDECK OLEAN ENERGY CENTER:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
FACILITY	monitoring of process or control device parameters as surrogate	1-5
O-00001	record keeping/maintenance procedures	39
O-00001	record keeping/maintenance procedures	40
O-00001	continuous emission monitoring (cem)	41
O-00001	continuous emission monitoring (cem)	42
O-00001	work practice involving specific operations	43
O-00001/00001/100	intermittent emission testing	95
O-00001/00001/100	intermittent emission testing	96
O-00001/00001/100	intermittent emission testing	97
O-00001/00001/100	intermittent emission testing	98
O-00001/00001/100	intermittent emission testing	99
O-00001/00001/100	intermittent emission testing	100
O-00001/00001/100	intermittent emission testing	101
O-00001/00001/200	work practice involving specific operations	102
O-00001/00001/200	work practice involving specific operations	103
O-00001/00001/200	intermittent emission testing	104
O-00001/00001/200	intermittent emission testing	105
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O-00001/00001/200	intermittent emission testing	110
O-00001/00001/500	continuous emission monitoring (cem)	1-8
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O-00001/00001/500	continuous emission monitoring (cem)	111
O-00001/00001/500	continuous emission monitoring (cem)	112
O-00001/00001/500	continuous emission monitoring (cem)	113
O-00001/00001/500	continuous emission monitoring (cem)	114
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O-00001/00001/500/000DB	intermittent emission testing	121
O-00001/00001/500/000DB	intermittent emission testing	122
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O-00001/00001/600	continuous emission monitoring (cem)	125
O-00001/00001/600	continuous emission monitoring (cem)	126
O-00001/00001/600	work practice involving specific operations	127
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O-00001/00001/600/000DB	intermittent emission testing	130
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O-00001/00001/600/000DB	work practice involving specific operations	136
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O-00001	monitoring of process or control device parameters as surrogate	56
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O-00001	intermittent emission testing	73
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O-00001	intermittent emission testing	37
O-00001	monitoring of process or control device parameters as surrogate	38

Basis for Monitoring

Basis for Monitoring @ Indeck Olean (MOD 1):

The permit was modified to require the facility to record the number of hours the combustion turbine operates at peak load (108% of full load), since it is limited to less than 500 hours per 365 day period. Initial modeling for compliance with ambient air quality standards was conducted considering peak load operations, but it was overlooked and not included in the special conditions that were part of Indeck Olean's operating permit. Monitoring and recording the hours the unit operates at peak load is a satisfactory method of monitoring.

Basis for Monitoring @ Indeck Olean (MOD 0):

Most of the monitoring requirements contained in this permit are based on specific monitoring methods and observations as prescribed in the applicable rules. Facility specific monitoring conditions were written to assure that reliable information is obtained representing the facility's compliance status for the following issues:

1. The majority of the permit conditions at the facility level, based on citations from 6 NYCRR Parts 200, 201, 202, 211, 215 and 217, are conditions that are in every Title V (five) permit. These conditions generally reiterate rules that apply to most facilities more so than require the facility to monitor or take actions.
2. Permit conditions that list 40 CFR 52.21, subpart A (Prevention of Significant Deterioration of Air Quality - PSD) as the applicable requirement, limit the operation and set emission limits at this facility. These limitations keep the facility's actual emissions below the applicability levels of PSD, so PSD is not applicable to the facility. They limit emissions of carbon monoxide (CO) and oxides of nitrogen (NOx), sulfur content of the fuel, hours the turbine and duct burner can fire fuel oil, and the gallons of oil the turbine and duct burner can burn annually. Complying with the above permit limits through monitoring and record keeping demonstrate the facility is avoiding PSD applicability.

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To minimize NO_x emissions the PSD avoidance condition requires the use of a selective catalytic reactor (SCR). Emission testing is required upon the request of the Department for volatile organic compounds (VOC's), particulate matter less than 10 microns in diameter (PM-10) and particulates to verify the facility is complying with permit conditions. A Continuous Emission Monitoring System (CEMS) is used to continuously measure and record emissions of carbon monoxide and oxides of nitrogen to verify the facility is complying with the PSD avoidance emission limits.

3. Permit conditions that list 40 CFR 60 subpart A (General Provisions for New Source Performance Standards - NSPS) as the applicable requirement address the operation, maintenance, quality control, quality assurance and reporting requirements for the continuous emission monitoring system (CEMS) at the facility. CEMS are used to monitor NO_x, CO and opacity (smoke). CEMS are the most reliable method of continuously monitoring for compliance with emission limits.

4. Permit conditions that list 40 CFR 60 subpart Db (NSPS for Industrial-Commercial-Institutional Steam Generating Units, 100 to 250 mmBtu/hr heat input) as the applicable requirement address NSPS requirements for the duct burner that is rated at 249 mmBtu/hr heat input. This limits emissions of sulfur, nitrogen oxide and opacity. It also requires the installation of CEMS to monitor and record NO_x and opacity emissions, along with fuel consumption and other specific record keeping. The PSD sulfur in fuel limit is 0.25% by weight, which is more stringent than the NSPS limit of 0.5% by weight, so the respective condition was streamlined to state the sulfur in fuel limit is 0.25% by weight. The above monitoring procedures are prescribed by the regulation.

5. Permit conditions that list 40 CFR 60 subpart GG (NSPS for Combustion Turbines) as the applicable requirement address NSPS requirements for the combustion turbine. This NSPS limits the emission of oxides of nitrogen and sulfur. It requires a daily analysis of the natural gas, and analysis of each delivery of fuel oil. However, once the station demonstrated their fuel supplies were in compliance the Environmental Protection Agency approved the facility's request to analyze natural gas quarterly and fuel oil per delivery. The ratio of steam versus fuel injected into the turbine, to control NO_x, is required to be monitored. The PSD sulfur in fuel limit is 0.25% by weight, which is more stringent than the NSPS limit of 0.8% by weight, so the respective condition was streamlined to state the sulfur in fuel limit is 0.25% by weight. The PSD NO_x limit of 9 ppmv is more restrictive than this NSPS's NO_x limit of about 114 ppmv, so if the facility uses CEMS to demonstrate the PSD NO_x limit is in compliance then the NSPS limit must also be in compliance. The above monitoring procedures are prescribed by the regulation.

6. Permit conditions that list 6 NYCRR Part 227-1 (Stationary Combustion Installations) as the applicable requirement limit the particulate emissions and opacity (smoke) from the gas turbine / duct burner stack as required by the citation. A continuous opacity monitor system (COMS) is used to continuously monitor compliance with the opacity standard.