



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6204-00019/00006  
Effective Date: 07/25/2014 Expiration Date: 07/24/2019

Permit Issued To: CONSOLIDATED EDISON COMPANY OF NEW YORK INC  
4 IRVING PL  
NEW YORK, NY 10003-3502

Facility: CON ED-74TH STREET STA  
506 E 75TH ST  
NEW YORK, NY 10021

Contact: FEMI OGUNSOLA  
CONSOLIDATED EDISON CO OF NY INC  
4 IRVING PL - 15FL NE  
NEW YORK, NY 10003-3502  
(212) 460-1223

Description:

This facility (**Con Ed-74th Street Station**) produces electricity and steam. The facility operates three very large boilers rated at 836 MM Btu/hr, six large boilers rated at 180 MM Btu/hr each, and two combustion turbines rated at 223 MM Btu/hr each. The very large boilers have been in operation since 1955, the large boilers have been in operation since 1977, and the turbines have been in operation since 1968. The boilers combust residual oil, and are permitted to combust natural gas. The turbines combust distillate oil. The sulfur content in the distillate and residual oils is regulated by 6 NYCRR Subpart 225-1 and the limits are 0.20% and 0.30% by weight, respectively.

The facility-wide emissions for major air pollutants exceed the major source pollutant threshold and therefore is subject to the provisions of Title V specified under 6 NYCRR subpart 201-6. 6 NYCRR Parts 243, 244, and 245 require facilities to obtain/possess at least as many 'allocations' of sulfur dioxide (SO<sub>2</sub>) and oxides of nitrogen (NO<sub>x</sub>) as they emit into the atmosphere during a specified period of time.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2620400019**



By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:            JOHN F CRYAN  
   NYSDEC - REGION 2  
   47-40 21ST ST  
   LONG ISLAND CITY, NY 11101-5407

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
- Applications for permit renewals, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal -  
REGION 2 HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by



the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 2 Headquarters  
Division of Environmental Permits  
1 Hunters Point Plaza, 4740 21st Street  
Long Island City, NY 11101-5407  
(718) 482-4997

**New York State Department of Environmental Conservation**

Permit ID: 2-6204-00019/00006

Facility DEC ID: 2620400019



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: CONSOLIDATED EDISON COMPANY OF NEW YORK INC  
4 IRVING PL  
NEW YORK, NY 10003-3502

Facility: CON ED-74TH STREET STA  
506 E 75TH ST  
NEW YORK, NY 10021

Authorized Activity By Standard Industrial Classification Code:  
4911 - ELECTRIC SERVICES  
4961 - STEAM SUPPLY

Permit Effective Date: 07/25/2014

Permit Expiration Date: 07/24/2019



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.4 (a) (7): Fees
- 3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
- 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.4 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 17 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 19 40 CFR Part 68: Accidental release provisions.
- 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 21 6 NYCRR Subpart 201-6: Emission Unit Definition
- 22 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 23 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*24 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*25 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 26 6 NYCRR 207.3 (d): Compliance Certification
- 27 6 NYCRR 211.1: Air pollution prohibited
- 28 6 NYCRR 225-1.2 (f): Compliance Certification
- 29 6 NYCRR 225-1.2 (g): Compliance Certification
- 30 6 NYCRR 225-1.2 (h): Compliance Certification
- 31 6 NYCRR 225.1 (a) (3): Compliance Certification
- 32 6 NYCRR 225.7 (a): Compliance Certification
- 33 6 NYCRR 227-2.5 (a): Compliance Certification
- 34 6 NYCRR 227-2.5 (a): Compliance Certification
- 35 6 NYCRR 227-2.5 (b): Compliance Certification
- 36 6 NYCRR 227-2.5 (c): Compliance Certification
- 37 6 NYCRR 243-1.6 (a): Permit Requirements
- 38 6 NYCRR 243-1.6 (b): Monitoring requirements
- 39 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
- 40 6 NYCRR 243-1.6 (d): Excess emission requirements
- 41 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
- 42 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative





- 43 6 NYCRR 243-2.4: Certificate of representation
  - 44 6 NYCRR 243-8.1: General requirements
  - 45 6 NYCRR 243-8.1: Prohibitions
  - 46 6 NYCRR 243-8.3: Out of control periods
  - 47 6 NYCRR 243-8.5 (d): Quarterly reports
  - 48 6 NYCRR 243-8.5 (e): Compliance certification
  - 49 6 NYCRR Subpart 244-1: CAIR General and Permit Requirements
  - 50 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General  
Conditions
  - 51 6 NYCRR Subpart 244-2: Designated CAIR Representative
  - 52 6 NYCRR Subpart 244-8: Compliance Certification
  - 53 6 NYCRR Subpart 244-8: Compliance Certification
  - 54 6 NYCRR Subpart 245-1: CAIR General and Permit Requirements
  - 55 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
  - 56 6 NYCRR Subpart 245-2: Designated CAIR Representative
  - 57 6 NYCRR Subpart 245-8: Compliance Certification
  - 58 40CFR 63, Subpart JJJJJ: Applicability
  - 59 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations  
and Permitting
- Emission Unit Level**
- 60 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
  - 61 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=7-40020,Proc=GTD**

- 62 6 NYCRR 227-2.6 (c): Compliance Certification

**EU=7-40020,EP=00001**

- 63 6 NYCRR 227-1.3: Compliance Certification
- 64 6 NYCRR 227-1.3: Compliance Certification
- 65 6 NYCRR 227.2 (b) (1): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 66 ECL 19-0301: Contaminant List
- 67 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 68 6 NYCRR 211.2: Visible Emissions Limited
- 69 6 NYCRR 238-1.6 (c): Compliance Demonstration
- 70 6 NYCRR 238-1.6 (e): Record keeping and Reporting Requirements
- 71 6 NYCRR 238-1.6 (f): Liability
- 72 6 NYCRR 238-2.1: Submissions to the Department
- 73 6 NYCRR 238-4.1: Compliance Demonstration
- 74 6 NYCRR 238-7.1: Submission of SO2 allowance transfers
- 75 6 NYCRR Subpart 238-8: Monitoring and Reporting requirements

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.**

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

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

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

(b) In any enforcement proceeding, the facility owner or operator 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 201-6.2 (a) (4)**

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

**Item D: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**

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

**Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**

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

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**

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

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

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

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

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



**Item I: Severability - 6 NYCRR 201-6.4 (a) (9)**

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

**Item J: Permit Shield - 6 NYCRR 201-6.4 (g)**

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

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

**Item K: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is



three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions 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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit 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.

**Condition 2: Fees**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 2.1:**  
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**



**Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:



Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill





Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters.

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The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section  
USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101-5407

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

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**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 8.1:**

(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires - Prohibitions  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 9.1:**

Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.

(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.



- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 10: Maintenance of Equipment  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 10.1:**

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.

**Condition 11: Recycling and Salvage**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 12.1:**

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.

**Condition 13: Exempt Sources - Proof of Eligibility**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)**

**Item 13.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)**

**Item 14.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 15: Requirement to Provide Information**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**



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of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 18: Required Emissions Tests**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 18.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 19: Accidental release provisions.**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 19.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 20: Recycling and Emissions Reduction**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 20.1:**





The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 21: Emission Unit Definition**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 21.1:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 7-40020

Emission Unit Description:

Very large boilers 120, 121 and 122, Large boilers 123 through 128 and Combustion Turbines 1 and 2. All boilers have the capability to burn residual oil and natural gas and can fire these fuels in various combinations. The Combustion Turbines have the capability to fire distillate oil. In order to comply with the NOx requirements of 6NYCRR Subpart 227-2, the Very Large boilers are using off-stoichiometric firing and the Large boilers are using low excess air.

Building(s): BOILERHS

**Condition 22: Progress Reports Due Semiannually**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**Item 22.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. 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.

**Condition 23: Facility Permissible Emissions**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

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**Item 23.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY100-00-0

PTE: 49,999 pounds per year

Name: TOTAL HAP

**Condition 24: Capping Monitoring Condition  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 24.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40 CFR Part 63, Subpart DDDDD

**Item 24.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 24.3:**

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.

**Item 24.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 24.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 24.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP



**Item 24.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility-wide total emissions of aggregate HAPs are limited 9.9 tons per year.

Facility must maintain records demonstrating compliance with this limit on site, and must be available upon request.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

Subsequent reports are due every 12 calendar month(s).

**Condition 25: Capping Monitoring Condition**

**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 25.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40 CFR Part 63, Subpart DDDDD

**Item 25.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 25.3:**

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.

**Item 25.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

Subsequent reports are due every 6 calendar month(s).

**Condition 27: Air pollution prohibited**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 27.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 28: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 225-1.2 (f)**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Owners and/or operators of commercial, industrial, or residential emission sources that fire number two heating oil on or after July 1, 2012 are limited to the purchase of number two heating oil with 0.0015 percent sulfur by weight or less. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.



Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: NUMBER 2 HEATING OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.0015 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 29: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 225-1.2 (g)**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.0015 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 30: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**



**Applicable Federal Requirement:6 NYCRR 225-1.2 (h)**

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 31: Compliance Certification**

**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 225.1 (a) (3)**

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any

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distillate oil which has sulfur content greater than 0.20 percent by weight. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.20 percent by weight  
Monitoring Frequency: PER DELIVERY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due every 12 calendar month(s).

**Condition 32: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 225.7 (a)**

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due every 12 calendar month(s).

**Condition 33: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 227-2.5 (a)**

**Item 33.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:





Emission Unit: 7-40020  
Process: NG2 Emission Source: 00123

Emission Unit: 7-40020  
Process: NG2 Emission Source: 00124

Emission Unit: 7-40020  
Process: NG2 Emission Source: 00125

Emission Unit: 7-40020  
Process: NG2 Emission Source: 00126

Emission Unit: 7-40020  
Process: NG2 Emission Source: 00127

Emission Unit: 7-40020  
Process: NG2 Emission Source: 00128

Emission Unit: 7-40020  
Process: RO2 Emission Source: 00123

Emission Unit: 7-40020  
Process: RO2 Emission Source: 00124

Emission Unit: 7-40020  
Process: RO2 Emission Source: 00125

Emission Unit: 7-40020  
Process: RO2 Emission Source: 00126

Emission Unit: 7-40020  
Process: RO2 Emission Source: 00127

Emission Unit: 7-40020  
Process: RO2 Emission Source: 00128

Regulated Contaminant(s):  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a CEMS for the monitoring of NOX in accordance with the requirements of this Subpart 227-2. Compliance will be determined through monitoring of ducts that exhaust into a common Emission Point 00001. Emission sources (Package Boilers 123 through 128) all six combined have one duct that exhaust to the common emission point. The owner or operator will maintain records on-site for a



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Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall install, calibrate, maintain, and operate a CEMS for the monitoring of NOX in accordance with the requirements of this Subpart 227. Compliance will be determined through monitoring of ducts that exhaust into a common Emission Point 00001. Emission sources (HP Boilers 120, 121 and 122) all three combined have one duct that exhaust to the common emission point. The owner or operator will maintain records on-site for a minimum of five years.

Compliance with NOX RACT limit of 0.15 lb/MMBtu is on a calendar year (July 1 through June 30) average basis (interim quarterly reports, 365-day rolling average) through the use of fuel switching. The high pressure boilers 120, 121 and 122 will burn natural gas predominantly during the ozone season (May 1 through September 30).

Compliance with the emission limit as well as monitoring, recordkeeping and reporting requirement listed in this condition is effective on July, 1 2014.

Manufacturer Name/Model Number: NOx Analyzer

Upper Permit Limit: 0.15 pounds per million Btus

Reference Test Method: SEE MONITORING DESCRIPTION

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2014.

Subsequent reports are due every 3 calendar month(s).

**Condition 35: Compliance Certification**

**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 227-2.5 (b)**

**Item 35.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 7-40020



Process: GTD	Emission Source: GT001
Emission Unit: 7-40020 Process: GTD	Emission Source: GT002
Emission Unit: 7-40020 Process: NG1	Emission Source: 00120
Emission Unit: 7-40020 Process: NG1	Emission Source: 00121
Emission Unit: 7-40020 Process: NG1	Emission Source: 00122
Emission Unit: 7-40020 Process: NG2	Emission Source: 00123
Emission Unit: 7-40020 Process: NG2	Emission Source: 00124
Emission Unit: 7-40020 Process: NG2	Emission Source: 00125
Emission Unit: 7-40020 Process: NG2	Emission Source: 00126
Emission Unit: 7-40020 Process: NG2	Emission Source: 00127
Emission Unit: 7-40020 Process: NG2	Emission Source: 00128
Emission Unit: 7-40020 Process: RO1	Emission Source: 00120
Emission Unit: 7-40020 Process: RO1	Emission Source: 00121
Emission Unit: 7-40020 Process: RO1	Emission Source: 00122
Emission Unit: 7-40020 Process: RO2	Emission Source: 00123
Emission Unit: 7-40020 Process: RO2	Emission Source: 00124
Emission Unit: 7-40020 Process: RO2	Emission Source: 00125
Emission Unit: 7-40020 Process: RO2	Emission Source: 00126

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Facility DEC ID: 2620400019



Emission Unit: 7-40020

Process: RO2

Emission Source: 00127

Emission Unit: 7-40020

Process: RO2

Emission Source: 00128

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Con Edison's system-wide averaging of NOx emissions from its facilities shall be performed in accordance with the most current version of the NOx RACT Compliance Plan and the NOx RACT Operating Plan, approved by the Department.

The most current version, revised on October 17, 2009, of the NOx RACT Compliance and Operating Plans are attached to this permit and constitute an enforceable part of the permit.

This condition applies until June 30th, 2014.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2014.

Subsequent reports are due every 3 calendar month(s).

**Condition 36: Compliance Certification**

**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 227-2.5 (c)**

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 7-40020

Process: GTD

Emission Source: GT001

Emission Unit: 7-40020

Process: GTD

Emission Source: GT002

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**New York State Department of Environmental Conservation**

Permit ID: 2-6204-00019/00006

Facility DEC ID: 2620400019



**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Compliance with the alternate NO<sub>x</sub> RACT emission limit of 0.929 lb/MMBtu of the December 2011 NO<sub>x</sub> RACT Analysis for each turbine will be determined by stack testing once per term of the permit. Emission will be calculated based on the most recent stack test result. GT 1 and GT2 unit are restricted to 2800 hours per year per turbine on an annual 365-day rolling average on each turbine. Daily records for GT1 and GT2 shall be kept by the facility and/or at Corporate EH&S office, 15Fl NE, 4 Irving Place. Records will be available for inspection by the DEC. Compliance with the emission limit as well as monitoring, recordkeeping and reporting requirement listed in this condition is effective on July, 1 2014.

Upper Permit Limit: 0.929 pounds per million Btus

Reference Test Method: EPA APPROVED METHOD

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

Subsequent reports are due every 6 calendar month(s).

**Condition 37: Permit Requirements**

**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (a)**

**Item 37.1:**

The CAIR designated representative of each CAIR NO<sub>x</sub> Ozone Season source shall:

(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

The owners and operators of each CAIR NO<sub>x</sub> Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.

**Condition 38: Monitoring requirements**

**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (b)**

**Item 38.1:**



The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

**Condition 39: NOx Ozone Season Emission Requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (c)**

**Item 39.1:**

As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NOx ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NOx Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.

CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under section 243-1.5 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

A CAIR NOx Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

**Condition 40: Excess emission requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (d)**

**Item 40.1:**



If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

(1) the owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

(2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

**Condition 41: Recordkeeping and reporting requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (e)**

**Item 41.1:**

Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.

**Condition 42: Authorization and responsibilities of CAIR designated representative**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-2.1**

**Item 42.1:**

Except as provided under section 243-2.2, each CAIR NO<sub>x</sub> Ozone Season source, including all CAIR NO<sub>x</sub> Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NO<sub>x</sub> Ozone Season Trading Program concerning the source or any CAIR NO<sub>x</sub> Ozone Season unit at the source.





The CAIR designated representative of the CAIR NO<sub>x</sub> Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NO<sub>x</sub> Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NO<sub>x</sub> Ozone Season source represented and each CAIR NO<sub>x</sub> Ozone Season unit at the source in all matters pertaining to the CAIR NO<sub>x</sub> Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

No CAIR permit will be issued, no emissions data reports will be accepted, and no CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System account will be established for a CAIR NO<sub>x</sub> Ozone Season unit at a source, until the Administrator has received a complete certificate of representation under section 243-2.4 for a CAIR designated representative of the source and the CAIR NO<sub>x</sub> Ozone Season units at the source.

Each submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO<sub>x</sub> Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 43: Certificate of representation**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-2.4**

**Item 43.1:**

Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

**Condition 44: General requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-8.1**

**Item 44.1:**



The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NO<sub>x</sub> Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NO<sub>x</sub> Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NO<sub>x</sub> Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NO<sub>x</sub> Ozone Season unit shall:

- (1) install all monitoring systems required under this Subpart for monitoring NO<sub>x</sub> mass emissions and individual unit heat input (including all systems required to monitor NO<sub>x</sub> emission rate, NO<sub>x</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph 243-8.1(a)(1); and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 45: Prohibitions**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 243-8.1**

**Item 45.1:**

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NO<sub>x</sub> emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NO<sub>x</sub> mass emissions discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NO<sub>x</sub> Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other



approved monitoring system under this Subpart, except under any one of the following circumstances:

- (i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
- (ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
- (iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

**Condition 46: Out of control periods**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 243-8.3**

**Item 46.1:**

Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to, 40 CFR Part 75.

**Condition 47: Quarterly reports**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 243-8.5 (d)**

**Item 47.1:**

The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NO<sub>x</sub> Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NO<sub>x</sub> emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NO<sub>x</sub> mass emissions) for such unit for the entire year and shall report the NO<sub>x</sub> mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

(i) for a unit that commences commercial operation before July 1, 2007, the calendar quarter covering May 1, 2008 through June 30, 2008;

(ii) for a unit that commences commercial operation on or after July 1, 2007, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 243-8.1(b), unless that quarter is the third or fourth quarter of 2007 or the first quarter of 2008, in which case reporting shall commence in the quarter covering May 1, 2008 through June 30, 2008.

The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

**New York State Department of Environmental Conservation**

Permit ID: 2-6204-00019/00006

Facility DEC ID: 2620400019



For CAIR NO<sub>x</sub> Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

**Condition 48: Compliance certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR 243-8.5 (e)**

**Item 48.1:**

The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

- (1) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications;
- (2) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions; and
- (3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO<sub>x</sub> emission rate and NO<sub>x</sub> concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO<sub>x</sub> emissions.

**Condition 49: CAIR General and Permit Requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 244-1**

**Item 49.1:**

- (1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO<sub>x</sub> units at the source during that control period. (244-1.6(c)(1) , 244-1.2(b)(5), 244-1.2(b)(36))
- (2) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated. (244-1.6(c)(3))
- (3) 'Excess emissions requirements.' If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any



control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the CAIR NO<sub>x</sub> source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. (244-1.6(d))

(4) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator:

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program. (244-1.6(e))

**Condition 50: CAIR NO<sub>x</sub> Annual Trading Program General Conditions  
Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 244-1**

**Item 50.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NO<sub>x</sub> allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO<sub>x</sub> units at the source during that control period. A CAIR NO<sub>x</sub> allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NO<sub>x</sub> unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]

3) If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the CAIR NO<sub>x</sub> source shall surrender



the CAIR NOx allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR NOx source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Annual Trading Program.

**Condition 51: Designated CAIR Representative**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 244-2**

**Item 51.1:**

1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my



inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

**Condition 52: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR Subpart 244-8**

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

(1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).

(2) The CAIR designated representative shall submit quarterly reports of the the NO<sub>x</sub> mass emissions data and heat input data for each CAIR NO<sub>x</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

(3) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

(4) For CAIR NO<sub>x</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Ozone Season



Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions.

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [ 244-8.3(a) ]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO<sub>x</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each





continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NO<sub>x</sub> monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2014.  
Subsequent reports are due every 3 calendar month(s).

**Condition 53: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 244-8**

**Item 53.1:**  
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 53.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Monitoring and Reporting NO<sub>x</sub> emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR NO<sub>x</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 244-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or CEMS) in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NO<sub>x</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in



section 244-1.2. [244-8.1]

2) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)]

3) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

4) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 244-8.5, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1). [244-8.5(a)]

5) The owner or operator of a CAIR NOx unit shall comply with requirements of 40 CFR 75.73(c) and (e) for monitoring plans. [244-8.5(b)]

6) The CAIR designated representative shall submit a certification application to the department within 45 days after completing all initial certification or recertification tests required under section 244-8.2,



including the information required under 40 CFR 75.63.  
[244-8.5(c)]

7) The CAIR designated representative shall submit quarterly reports of the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter covering January 1, 2008 through March 31, 2008; unless the unit commences commercial operation on or after July 1, 2007, then quarterly reporting commences with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 244-8.1(b).  
[244-8.5(d)(1)]

8) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f). [244-8.5(d)(2)]

9) For CAIR NOx units that are also subject to an Acid Rain emissions limitation or the CAIR NOx Ozone Season Trading Program, CAIR SO2 Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NOx mass emission data, heat input data, and other information required by Subpart 244-8.  
[244-8.5(d)(3)]

10) Compliance certification - The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [244-8.5(e)]

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NOx emission controls and for all hours where NOx data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not



systematically underestimate NOx emissions.

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2014.  
Subsequent reports are due every 3 calendar month(s).

**Condition 54: CAIR General and Permit Requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR Subpart 245-1**

**Item 54.1:**

(1) Each CAIR SO<sub>2</sub> source must have a permit issued by the department pursuant to 6NYCRR Parts 201 and 621 of this title; and shall have a CAIR permit issued pursuant to 6NYCRR Part 245-3 by the Department and operate the source in compliance with such CAIR permit. Each CAIR permit must contain all applicable requirements for the CAIR SO<sub>2</sub> Trading Program and shall be a complete and separable portion of the permit. (245-1 and 245-3)

(2) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each CAIR SO<sub>2</sub> source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period (January 1 through December 31) as determined in accordance with 6NYCRR Part 245-6.5(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with 6NYCRR Part 245-8. (245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36))

(3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated. (245-1.6(c)(3))

(4) 'Excess emissions requirements.' If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. (245-1.6(d))

(5) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator:

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the



submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program. (245-1.6(e))

**Condition 55: CAIR SO<sub>2</sub> Trading Program General Provisions**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 245-1**

**Item 55.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO<sub>2</sub> source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source. A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO<sub>2</sub> unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the





Regulated Contaminant(s):  
CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO<sub>2</sub> emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO<sub>2</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO<sub>2</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO<sub>2</sub> unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO<sub>2</sub> unit. [245-8.1]

2)The owner or operator of each CAIR SO<sub>2</sub> unit shall:  
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO<sub>2</sub> mass emissions and individual unit heat input (including all systems required to monitor SO<sub>2</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and

(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.



[245-8.1(b)]

(i) For the CAIR SO<sub>2</sub> unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO<sub>2</sub> unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO<sub>2</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

5) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D of or appendix D to 40 CFR Part 75.

[245-8.3(a)]

6) The CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 245-8.3, the applicable recordkeeping and reporting requirements in Subparts F and G of 40 CFR Part 75, and the requirements of section 245-2.1(e)(1).

[245-8.5(a)]

7) The owner or operator of a CAIR SO<sub>2</sub> unit shall comply with requirements of 40 CFR 75.62 for monitoring plans.

[245-8.5(b)]





8) The CAIR designated representative shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 245-8.2, including the information required under 40 CFR 75.63. [245-8.5(c)]

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

- i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or
- ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.

10) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.64. [245-8.5(d)(2)]

11) For CAIR SO<sub>2</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO<sub>2</sub> mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [245-8.5(e)]

- i) the monitoring data submitted were recorded in accordance with the applicable requirements of this

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Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications; and  
ii) for a unit with add-on SO<sub>2</sub> emission controls and for all hours where SO<sub>2</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO<sub>2</sub> emissions.

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2014.  
Subsequent reports are due every 3 calendar month(s).

**Condition 58:    Applicability**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:40CFR 63, Subpart JJJJJJ**

**Item 58.1:**

Facilities that are area sources of HAP with industrial, commercial, or institutional boilers must comply with applicable portions of 40 CFR 63 JJJJJJ.

**Condition 59:    Facility Subject to Title IV Acid Rain Regulations and Permitting**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:40 CFR Part 72**

**Item 59.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.**

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 60:    Emission Point Definition By Emission Unit**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 60.1:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 7-40020

Emission Point: 00001

Height (ft.): 494

Diameter (in.): 192

NYTMN (km.): 4513.537

NYTME (km.): 588.537

Building: BOILERHS



**Condition 61: Process Definition By Emission Unit**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 61.1:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 7-40020  
Process: GTD Source Classification Code: 2-01-001-01  
Process Description:  
This process includes: two (2) combustion turbines, GT 1 and 2 rated at 223 MMBtu/hr each. These turbines combust only distillate oil.

Emission Source/Control: GT001 - Combustion  
Design Capacity: 223 million Btu per hour

Emission Source/Control: GT002 - Combustion  
Design Capacity: 223 million Btu per hour

**Item 61.2:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 7-40020  
Process: NG1 Source Classification Code: 1-01-006-01  
Process Description:  
This process includes: three (3) tangentially fired boilers (Nos. 120, 121, and 122) rated at 836 MMBtu/hr each. This process covers the combustion of natural gas in these boilers. These boilers will be equipped for natural gas ignition and the capability to combust natural gas.

Emission Source/Control: 00120 - Combustion  
Design Capacity: 836 million Btu per hour

Emission Source/Control: 00121 - Combustion  
Design Capacity: 836 million Btu per hour

Emission Source/Control: 00122 - Combustion  
Design Capacity: 836 million Btu per hour

**Item 61.3:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 7-40020  
Process: NG2 Source Classification Code: 1-01-006-01  
Process Description:  
This process includes: six (6) normally fired boilers (Nos. 123 through 128) rated at 180 MMBtu/hr each. This process covers the combustion of natural gas in these

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boilers. The maximum allowable heat input for these boilers when burning natural gas only is 192 mmbtu/hr.

Emission Source/Control: 00123 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00124 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00125 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00126 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00127 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00128 - Combustion  
Design Capacity: 180 million Btu per hour

**Item 61.4:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 7-40020  
Process: RO1 Source Classification Code: 1-01-004-04  
Process Description:

This process includes: three (3) tangentially fired boilers (Nos. 120, 121, and 122) rated at 836 MMBtu/hr each. This process covers the combustion of residual oil in these boilers. A condensing heat exchanger is installed on the exhaust of these boilers.

Emission Source/Control: 00120 - Combustion  
Design Capacity: 836 million Btu per hour

Emission Source/Control: 00121 - Combustion  
Design Capacity: 836 million Btu per hour

Emission Source/Control: 00122 - Combustion  
Design Capacity: 836 million Btu per hour

**Item 61.5:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 7-40020  
Process: RO2 Source Classification Code: 1-01-004-01  
Process Description:

This process includes: six (6) normally fired boilers (Nos. 123 through 128) rated at 180 MMBtu/hr each. This process covers the combustion of residual oil in these boilers.



Emission Source/Control: 00123 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00124 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00125 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00126 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00127 - Combustion  
Design Capacity: 180 million Btu per hour

Emission Source/Control: 00128 - Combustion  
Design Capacity: 180 million Btu per hour

**Condition 62: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 227-2.6 (c)**

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020  
Process: GTD

Regulated Contaminant(s):  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall submit a compliance test protocol to the Department for approval, to sample NOx emissions, at least 90 days prior to emission testing on the two turbines (emission sources GT001 and GT002) at the facility. The conditions of the testing and the locations of the sampling devices must be acceptable to the Department.

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

Subsequent reports are due every 6 calendar month(s).



**Condition 63: Compliance Certification**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable Federal Requirement:6 NYCRR 227-1.3**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020

Emission Point: 00001

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Stack opacity shall not exceed 20 percent (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with this standard shall be determined with Continuous Opacity Monitoring System (COMS) data. The owner shall install, operate in accordance with manufacturer's instructions, and properly maintain, a COMS in the stack satisfying the criteria in Appendix B of 40 CFR part 60.

The owner shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar year quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

- (1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- (2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- (4) The total time in which the COMS are required to record data during the reporting period;
- (5) The total number of exceedences and the duration of

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exceedences expressed as a percentage of the total time which the COMS are required to record data.

Manufacturer Name/Model Number: Land, Model #4500  
Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: 40 CFR 60 APP B  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 64: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 227-1.3**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020                      Emission Point: 00001

Regulated Contaminant(s):  
CAS No: 0NY075-00-0      PARTICULATES

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In response to New York State Department of Environmental Conservation opacity regulations, Con Edison installed and certified Lear Siegler RM41 transmissometers on applicable Fossil Power stacks during the early 1980s. In 1994 and 1995, as part of Con Edison's Continuous Emissions Monitoring System (CEMS) program, existing equipment at all facilities was replaced with new state-of-the-art Land Model 4500 units. New recorders were installed and digital opacity indicators were placed in control rooms so that Station operators would have real-time opacity readings. Con-Edison's opacity monitors shall be operated and maintained in accordance with the requirements of 40 CFR Part 75.

1.                      Opacity Incident Reporting:

Con Edison shall prepare opacity incident reports consistent with the requirements of this paragraph. The term "opacity incident" as used in this condition means smoke emissions which exhibit greater than 20% opacity (6-minute average).



Opacity incident report shall be maintained by Con Edison for a period of three years and shall be made available for inspection by the Department on demand. To provide a consistent and permanent record of all reportable opacity events, incident reporting was initiated in 1994. The reports consist of documenting incident events by way of Incident Reports in Con Edison's Central information database system. Incident Reports identify personnel on duty, a brief summary of the incident and as necessary a sequence of events, a preliminary cause analysis and associated corrective action requirements. All opacity Incident Reports are available electronically to cognizant Con Edison departments and personnel for their information, review and use. Incident Reports form the basis for more detailed root cause analysis, corrective actions, design modifications and project/program development and implementation.

2. Opacity Reporting Compliance Audits:

Con Edison shall conduct monthly opacity reporting compliance audits consistent with the requirements of this paragraph. Monthly opacity reporting compliance audits have been performed since April, 1994 and shall continue to be performed to ensure compliance with applicable regulatory reporting requirements. Audits include a detailed review of all opacity charts or recording device data for the prior month, confirmation that all indicated events were properly reported and documented, charts properly marked, survey sheets completed and all documentation retained. Comprehensive audit reports shall continue to be prepared to identify all relevant observations. Items tabulated include missing chart hours and survey sheets, events greater than 20% opacity, events greater than 40% opacity, total incidents, incidents reported and events covered by Incident Reports.

3. Awareness, Communications and Training:

Con Edison shall comply with the opacity awareness, communications and training provisions of this paragraph. Several significant initiatives have been undertaken to ensure and reinforce personnel understanding of the regulatory and operational requirements associated with this opacity. Awareness has been heightened by consistently and effectively communicating mandates throughout all levels of Con Edison's Steam Operations organization. Opacity audit results, significant or unusual exceedances, trends, goals, new developments and/or opacity reduction initiatives shall be included as agenda items, when appropriate, at a variety of meetings,





including the monthly meeting of the Steam Operations Vice President with the Plant Managers, the Steam Operations Program Managers Meeting, and/or the Operations Maintenance, EH&S and Technical Managers Meeting in order to promote continuing improvement in opacity awareness and compliance. Some of the opacity exceedances will be included in the review and discussion agenda of each monthly Incident Report Review Meeting, which is attended by key Steam Operations managers from each station, as well as EH&S and Central Engineering personnel.

At the local generating station level, opacity understanding and awareness shall be communicated on an ongoing basis from station management to supervisory and operating and maintenance personnel. Such communications shall be reinforced by operator interaction with personnel assigned as Opacity Auditors. Formal operator training is required of all personnel in order to receive their Air Pollution Control Certificates. A formal Air Pollution Control Refresher Course has been developed by the Company and was given to all control room operators by December 1998. Training of newly positioned control room operator continues on an on-going basis. It shall provide training in opacity regulatory requirements, fundamentals of combustion, and the balance between NOx control and opacity and continuous emissions monitoring interface.

4. Preventive Maintenance:

Con Edison shall conduct, on an ongoing basis, a preventive maintenance program as described in this paragraph. Review of opacity-related Incident Reports by Con Edison has identified equipment deficiencies, both in design and maintenance. The consistent and repetitive nature of maintenance-related deficiencies has indicated the need for a comprehensive boiler component opacity reduction preventive maintenance program. The program has been fully operational since mid-1996. It consists of three phases defined as follows:

- Phase 1 - identify essential program elements including repetitive deficiencies;
- Phase 2 - develop procedures for each identified element;
- Phase 3 - consists of ongoing implementation of preventive maintenance.

The primary elements of Con Edison's ongoing preventive maintenance program for opacity reductions consist of regular inspection, calibration, and/or servicing of the



following equipment in each of the generating stations:

- CEMS stack opacity monitoring equipment;
- Boiler control and instrumentation;
- Fuel oil and gas meters;
- Fuel oil pumps and strainers;
- Boiler fireside tubes (to minimize ash build-up);
- Air preheaters (to minimize ash build-up);
- Control-air air compressors;
- Fuel oil regulators;
- Atomizing steam regulators;
- Fan dampers and actuators; and
- Oil guns and tips.

This program may be revised by adding appropriate new maintenance requirements and deleting ineffective or obsolete maintenance activities based on operating experience or changes in equipment operation. The Department shall be notified of all significant additions and deletions to the preventive maintenance program via Con Edison's quarterly report to the Department.

5. Root Cause Analysis and Corrective Actions:

Con Edison shall conduct root cause analyses as described in this paragraph and shall take all corrective actions that are deemed necessary to maintain full compliance with the State's opacity requirements. A comprehensive Root Cause Analysis program, including deficiency categorization and correction of categorized deficiencies was implemented in April 1995. Incident categories include oil, air, atomizing steam, ignition, burner and combustion control system deficiencies. Analysis, categorization and corrective action development shall be performed monthly by the facility's Boiler System Engineer and other station personnel. Corrections due to equipment failure, malfunction and marginal design shall be accomplished by corrective maintenance and simple design basis enhancement activities. Correction of operation deviations include focused training, minimized soot blowing and increased boiler fireside washes. Significant design basis deficiencies shall be corrected by the development and implementation of design basis enhancement projects, including, but not limited to, fuel switching and ignition and control system retrofits.

6. Quarterly Reports:

Con Edison shall submit to the Department quarterly reports each May 15, August 15, November 15 and February



15, which describe activities and progress that Con Edison has made during the preceding quarter in carrying out the requirements of paragraphs 1 through 5 above in this condition. Penalties will not be assessed for excess opacity emission events attributable solely to equipment malfunctions or boiler start-ups or shut-downs, (as those terms are defined in 40 CFR § 60.2); provided that, Con Edison identifies those events in its quarterly excess emission reports, certifies that the events were not preventable and the Department does not dispute Con Edison's claim that such events were not preventable. When requested by the Department, Con Edison shall make available to the Department any incident reports and root cause analysis that it prepared for such events. Con Edison shall expressly identify in its quarterly excess emission reports instances of excess opacity attributable to soot blowing, operator error, or careless operation of properly functioning equipment.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 65: Compliance Certification**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)**

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 7-40020

Emission Point: 00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.

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2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

Subsequent reports are due every 6 calendar month(s).



**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**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.

**STATE ONLY APPLICABLE REQUIREMENTS**  
**The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 66: Contaminant List**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable State Requirement:ECL 19-0301**

**Item 66.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE



CAS No: 0NY075-00-0  
Name: PARTICULATES

CAS No: 0NY100-00-0  
Name: TOTAL HAP

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

**Condition 67: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 67.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 68: Visible Emissions Limited**



Effective between the dates of 07/25/2014 and 07/24/2019

Applicable State Requirement:6 NYCRR 211.2

**Item 68.1:**

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.

**Condition 69: Compliance Demonstration**  
Effective between the dates of 07/25/2014 and 07/24/2019

Applicable State Requirement:6 NYCRR 238-1.6 (c)

**Item 69.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 69.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of each SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall hold SO<sub>2</sub> allowances available for compliance deductions under NYCRR 238-6.5, as of the SO<sub>2</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO<sub>2</sub> emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO<sub>2</sub> budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO<sub>2</sub> allowances shall be held in, deducted from, or transferred among SO<sub>2</sub> Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.

Except for future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO<sub>2</sub> allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO<sub>2</sub> allowance was allocated.



An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO<sub>2</sub> Budget Trading Program. No provision of the ADR SO<sub>2</sub> Budget Trading Program, the SO<sub>2</sub> budget permit application, or the SO<sub>2</sub> budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO<sub>2</sub> allowance allocated by the department under the ADR SO<sub>2</sub> Budget Trading Program does not constitute a property right.

The owners and operators of an SO<sub>2</sub> budget unit that has excess emissions in any control period shall: Forfeit the SO<sub>2</sub> allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Monitoring Frequency: DAILY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due every 12 calendar month(s).

**Condition 70: Record keeping and Reporting Requirements**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable State Requirement:6 NYCRR 238-1.6 (e)**

**Item 70.1:**

Unless otherwise provided, the owners and operators of the SO<sub>2</sub> budget source and each SO<sub>2</sub> budget unit at the source shall keep on site or at a site approved by the Department each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department.

The account certificate of representation for the SO<sub>2</sub> authorized account representative for the source and each SO<sub>2</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with NYCRR 238-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the SO<sub>2</sub> authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO<sub>2</sub> Budget Trading Program;

Copies of all documents used to complete an SO<sub>2</sub> budget permit application and any other



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submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

**Condition 71: Liability**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable State Requirement:6 NYCRR 238-1.6 (f)**

**Item 71.1:**

No permit revision shall excuse any violation of the requirements of the ADR SO2 Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget source (including a provision applicable to the SO2 authorized account representative of an SO2 budget source) shall also apply to the owners and operators of such source and of the SO2 budget units at the source;

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget unit (including a provision applicable to the SO2 authorized account representative of an SO2 budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO2 authorized account representative of one SO2 budget unit shall not be liable for any violation by any other SO2 budget unit of which they are not owners or operators or the SO2 authorized account representative and that is located at a source of which they are not owners or operators or the SO2 authorized account representative.

**Condition 72: Submissions to the Department**  
**Effective between the dates of 07/25/2014 and 07/24/2019**

**Applicable State Requirement:6 NYCRR 238-2.1**

**Item 72.1:**

Each submission under the Acid Deposition Reduction (ADR) SO2 Budget Trading Program shall be submitted, signed, and certified by the SO2 authorized account representative for each SO2 budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO2 authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO2 budget sources or SO2 budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."



**Condition 73: Compliance Demonstration**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable State Requirement:6 NYCRR 238-4.1**

**Item 73.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 73.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more SO<sub>2</sub> budget units at a source are subject to the SO<sub>2</sub> budget emissions limitation, the SO<sub>2</sub> authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO<sub>2</sub> authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO<sub>2</sub> budget emissions limitation for the control period covered by the report:

- (1) identification of each SO<sub>2</sub> budget unit;
- (2) except in instances when the SO<sub>2</sub> budget unit seeks to use future control period SO<sub>2</sub> allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO<sub>2</sub> authorized account representative's option, the serial numbers of the SO<sub>2</sub> allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;
- (3) at the SO<sub>2</sub> authorized account representative's option, for units sharing a common stack and having SO<sub>2</sub> emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO<sub>2</sub> allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);
- (4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and
- (5) the compliance certification under NYCRR 238-4.1(c).



In the compliance certification report, the SO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO<sub>2</sub> budget units at the source in compliance with the ADR SO<sub>2</sub> Budget Trading Program, whether each SO<sub>2</sub> budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO<sub>2</sub> Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO<sub>2</sub> budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO<sub>2</sub> emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO<sub>2</sub> emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)



Reports due by March 1st

**Condition 74: Submission of SO<sub>2</sub> allowance transfers**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable State Requirement:6 NYCRR 238-7.1**

**Item 74.1:**

The SO<sub>2</sub> authorized account representatives seeking recordation of an SO<sub>2</sub> allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO<sub>2</sub> allowance transfer shall include the following elements in a format specified by the department or its agent:

- (a) the numbers identifying both the transferor and transferee accounts;
- (b) a specification by serial number of each SO<sub>2</sub> allowance to be transferred; and
- (c) the printed name and signature of the SO<sub>2</sub> authorized account representative of the transferor account and the date signed.

**Condition 75: Monitoring and Reporting requirements**  
Effective between the dates of 07/25/2014 and 07/24/2019

**Applicable State Requirement:6 NYCRR Subpart 238-8**

**Item 75.1: The owners and operators, and to the extent applicable, the SO<sub>2</sub> authorized account** representative of an SO<sub>2</sub> budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO<sub>2</sub> budget unit," and "SO<sub>2</sub> authorized account representative," respectively, as defined in NYCRR 238-1.2.

