

Facility DEC ID: 3330900040

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 3-3309-00040/00004
Effective Date: 02/23/2022 Expiration Date: 02/22/2027

Permit Issued To: ALLIANCE NYGT LLC
110 E SENECA ST
SHERRILL, NY 13461

Contact: GREG SHARLAND
ALLIANCE NYGT LLC
110 E SENECA ST
SHERRILL, NY 13461
(845) 856-3920

Facility: ALLIANCE ENERGY - SHOEMAKER GAS TURBINE FACILITY
71 DOLSON AVE
MIDDLETOWN, NY 10940

Description:
The Shoemaker Gas Turbine is a peak generating station that operates one simple cycle gas turbine rated at 512 mmBtu/hr that may fire natural gas, jet fuel A, distillate oil and biodiesel. Additional combustion sources on-site include one natural gas-fired internal combustion engine (compressor) rated at 560 kW and one natural gas-fired emergency generator rated at 45 kW. The facility is located within Orange and Rockland’s Middletown operations center.

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: REBECCA S CRIST
21 S PUTT CORNERS RD
NEW PALTZ, NY 12561

Authorized Signature: _____
Date: ___ / ___ / _____

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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.

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Facility Level

- 5 5 Submission of application for permit modification or renewal
-REGION 3 HEADQUARTERS

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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 the expiration of permits for Title V and 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.

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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 3 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 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ALLIANCE NYGT LLC
110 E SENECA ST
SHERRILL, NY 13461

Facility: ALLIANCE ENERGY - SHOEMAKER GAS TURBINE FACILITY
71 DOLSON AVE
MIDDLETOWN, NY 10940

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

Permit Effective Date: 02/23/2022

Permit Expiration Date: 02/22/2027

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EU=1-00002

34 45 6 NYCRR 227-1.4 (a): Compliance Certification

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 4/FINAL

**** 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: 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 B: 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 C: 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 D: 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 E: 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

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planned changes or anticipated noncompliance does not stay any permit condition.

Item F: 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 G: 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 H: 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 I: 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;

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- 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 J: 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. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.
- 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.

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Item K: 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 L: 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 02/23/2022 and 02/22/2027**

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.

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Condition 2: Fees

Effective between the dates of 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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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

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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.

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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.

Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2022.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

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

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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. 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 – Air Compliance Branch
 USEPA Region 2 DECA/ACB
 290 Broadway, 21st Floor
 New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
 NYSDEC
 21 South Putt Corners Road
 New Paltz, NY 12561-1696

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY

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Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2023.
 Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:
 The Compliance Certification activity will be performed for the Facility.

Item 7.2:
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

Emission statements are to be electronically submitted and are required by any new or renewed Title V permits issued after January 1, 2021. The first reporting year under this provision will be the reporting year in which the permit was issued or reporting year 2025 (emission statements due in 2026), whichever is earlier.

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 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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.

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Facility DEC ID: 3330900040

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

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be specified as "not applicable".]

Condition 10: Maintenance of Equipment
 Effective between the dates of 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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 02/23/2022 and 02/22/2027

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

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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 02/23/2022 and 02/22/2027****Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)****Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 16: Right to Inspect**Effective between the dates of 02/23/2022 and 02/22/2027****Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)****Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

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

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 17: Required Emissions Tests**Effective between the dates of 02/23/2022 and 02/22/2027****Applicable Federal Requirement:6 NYCRR 202-1.1****Item 17.1:**

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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 18: Accidental release provisions.
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:40 CFR Part 68

Item 18.1:

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 19: Recycling and Emissions Reduction
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:40CFR 82, Subpart F

Item 19.1:

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 20: Emission Unit Definition
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Item 20.1:

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

Emission Unit: 1-00001

Emission Unit Description:

Natural gas/jet fuel A/distillate/biodiesel-fired twin pac turbine consisting of two engines used to turn a simple cycle gas turbine rated at 512 mmBtu/hr (40 MW).

Building(s): GTBLDG

Item 20.2:

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

Emission Unit: 1-00002

Emission Unit Description:

Natural gas-fired reciprocating internal combustion engine used to boost the pressure of the natural gas supplied to the gas turbine. Engine rated at 560 kW.

Building(s): ICBLDG

Condition 21: Compliance Certification

Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 21.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Due to regulations coming into effect mid permit-term, this condition is being placed within the permit to provide clarity and define the facility’s NOx limit relative to the current time-period.

Permit Issuance to May 1st, 2023 – NOx limit of 300 ppmvd (Gas) / 191 ppmvd (Liquid) @15% O2 as defined under Alliance’s NOx RACT Variance (6 NYCRR 227-2.5 (c))

May 1st 2023 to April 30th, 2025 – NOx limit of 50 ppmvd @ 15% O2 as defined under 6 NYCRR 227-2.4 (e)(1)(i)

May 1st 2025 onward – NOx limit of 25 ppmvd (Gas) / 42 ppmvd (Liquid) @15% O2 as defined by 6 NYCRR 227-3.4 (a)(2)

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 22: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Due to more stringent limits set forth by 6 NYCRR 227-3.4 (a)(2) that come into effect on May 1st, 2023, Alliance's NOx RACT Variance will expire on May 1st, 2023. However, Alliance is still subject to NOx RACT as defined under 6 NYCRR 227-2.4 (e)(1)(i) once the Variance expires.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Progress Reports Due Semiannually
Effective between the dates of 02/23/2022 and 02/22/2027

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

Item 23.1:

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 24: Operational Flexibility
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (f)

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Item 24.1:

A permit modification is not required for changes that are provided for in the permit. Such changes include approved alternate operating scenarios and changes that have been submitted and approved pursuant to an established operational flexibility protocol and the requirements of this section. Each such change cannot be a modification under any provision of Title I of the Clean Air Act or exceed, or cause the facility to exceed, an emissions cap or limitation in the permit. The facility owner or operator must incorporate all changes into any compliance certifications, record keeping, and/or reporting required by the permit.

Condition 25: Visible Emissions Limited
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 211.2

Item 25.1:

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 26: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 225-1.2 (c)

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire residual oil are limited to a 0.50 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.50 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 7/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 27: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 225-1.2 (d)

Item 27.1:
 The Compliance Certification activity will be performed for the Facility.

Item 27.2:
 Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

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: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 7/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 28: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 28.1:
 The Compliance Certification activity will be performed for the Facility.

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

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a stationary combustion installation shall submit a compliance test protocol to the Department for approval at least 30 days prior to conducting compliance testing of the 0.1 lb/mmBtu particulate matter standard. The owner or operator shall submit the results to the Department for approval within 60 days of the conclusion of compliance testing. Testing shall be conducted once per term of the permit. All records associated with the testing shall be maintained on site or at a Department approved alternative location for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: 40 CFR 60, Appendix A, Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 29: Compliance Certification

Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR 227-1.3 (c)

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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation must perform an annual tune-up on each emission source subject to 6 NYCRR Subpart 227-1. Records of the tune-up shall be maintained at the facility or at a Department approved alternative location for a minimum of five years. The records shall, at a minimum, include the date the tune-up(s) occurred and the details of the tune-up procedures for each emission source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

Condition 30: Compliance Certification

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 227-2.4 (e) (1)

Item 30.1:

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

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator of a combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with either the relevant presumptive RACT emission limit in paragraph (1) or (2) of this subdivision, as applicable:

(1) For simple cycle and regenerative combustion turbines:

(i) 50 parts per million on a dry volume basis (ppmvd), corrected to 15 percent oxygen, for sources designed to burn gaseous fuels (gaseous fuels include, but are not limited to, natural gas, landfill gas, and digester gas) only;

Note - This condition only applies when the NOx RACT Variance expires and is the most stringent limit within the permit. This time period would be May 1st, 2023 to April 30th, 2025.

Manufacturer Name/Model Number: 40MW Twin Pac Turbine

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 50 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Either 40 CFR 60 Appendix F or 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 31: Compliance Certification

Effective between the dates of 02/23/2022 and 02/22/2027

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

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Item 31.1:

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

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility's combustion turbine will be capped at 1,185 hours of operation per year. This cap was calculated as part of the facility's updated NOx RACT plan that was approved in March 2016. The NOx RACT plan explains that with the cap on annual operating hours, the total cost of water injection controls per ton of NOx reduced is above the cost threshold listed in the DAR-20: Economic and Technical Analysis for Reasonably Available Control Technology (RACT) Networks guidance policy.

This cap applies regardless of the fuel being used by the turbine. Annual reporting is required.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 1185 hours

Monitoring Frequency: WHEN THE SOURCE IS OPERATING

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

Condition 32: Compliance Certification

Effective between the dates of 02/23/2022 and 02/22/2027

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

Item 32.1:

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

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 32.2:

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A NO_x RACT Variance has been approved by the Department for the facility's turbine. The turbine must comply with a limit of 300 ppmvd @15% O₂ while firing fuel oil. The limit applies year round, not just during the ozone season. The turbines must be tested once during term of permit for compliance with this limit. The Department reserves the right to require future performance testing.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 300 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: EPA Method 20

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 33: Compliance Certification

Effective between the dates of 02/23/2022 and 02/22/2027

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

Item 33.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A NO_x RACT Variance has been approved by the Department for the facility's turbine. The turbine must comply with a limit of 191 ppmvd @15% O₂ while firing Natural Gas. The limit applies year round, not just during the ozone season. The turbine must be tested once during the term of permit for compliance with this limit. The Department reserves the right to require future performance testing.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 191 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: EPA Method 20

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 34: Compliance Certification
 Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR 227-3.4 (a) (1)

Item 34.1:
 The Compliance Certification activity will be performed for the Facility.

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:

By May 1, 2023, the owner or operator of an affected source must calculate all 24-hour daily heat input-weighted average NOx emission rates from block hourly arithmetic emission rate averages calculated by the CEMS to demonstrate compliance with a 24-hour daily heat input-weighted average NOx emission rate. Facilities that are subject to 40 CFR part 75 will calculate their NOx emission rate using part 75 monitoring requirements. Facilities that are not subject to 40 CFR part 75 may calculate their NOx emission rate using either 40 CFR part 60, appendix A, method 19 or 40 CFR part 75. The applicant must maintain these records for a minimum of 5 years.

Manufacturer Name/Model Number: NOx Analyzer
 Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 100 parts per million by volume
 (dry, corrected to 15% O2)
 Reference Test Method: Either 40 CFR 60 Appendix F or 40 CFR 75
 Monitoring Frequency: CONTINUOUS
 Averaging Method: 24 HOUR BLOCK AVERAGE (ARITHMETIC MEAN)
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 0 days after the reporting period.
 The initial report is due 12/31/2022.
 Subsequent reports are due every 12 calendar month(s).

Condition 35: Compliance Certification
 Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR 227-3.4 (a) (1)

Permit ID: 3-3309-00040/00004

Facility DEC ID: 3330900040

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

By May 1, 2023, the owner or operator of an affected source must submit to the Department a compliance test protocol for Department approval at least 30 days prior to conducting the test. The owner or operator must submit a compliance test report containing the results of the emission test to the Department for approval no later than 60 days after completion of the emission test. The owner or operator must maintain a copy of the test report until a new test report has been approved by the Department. The approved test results will be used to calculate compliance with the applicable NOx emission limit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 100 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: Method 20

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

Condition 36: Compliance Certification**Effective between the dates of 02/23/2022 and 02/22/2027****Applicable Federal Requirement: 6 NYCRR 227-3.4 (a) (2)****Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

By May 1, 2025, the owner or operator of an affected source must calculate all 24-hour daily heat input-weighted average NOx emission rates from block

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hourly arithmetic emission rate averages calculated by the CEMS to demonstrate compliance with a 24-hour daily heat input-weighted average NO_x emission rate. Facilities that are subject to 40 CFR part 75 will calculate their NO_x emission rate using part 75 monitoring requirements. Facilities that are not subject to 40 CFR part 75 may calculate their NO_x emission rate using either 40 CFR part 60, appendix A, method 19 or 40 CFR part 75. The applicant must maintain these records for a minimum of 5 years.

Manufacturer Name/Model Number: NO_x Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 42 parts per million by volume (dry,
corrected to 15% O₂)

Reference Test Method: Either 40 CFR 60 Appendix F or 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 12/31/2022.

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

Condition 37: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR 227-3.4 (a) (2)

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

By May 1, 2025, the owner or operator of an affected source must submit to the Department a compliance test protocol for Department approval at least 30 days prior to conducting the test. The owner or operator must submit a compliance test report containing the results of the emission test to the Department for approval no later than 60 days after completion of the emission test. The owner or operator must maintain a copy of the test report until a new test report has been approved by the Department. The approved test results will be used to calculate compliance with the applicable NO_x emission limit.

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Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 42 parts per million by volume (dry,
corrected to 15% O₂)
Reference Test Method: Method 20
Monitoring Frequency: Once every five years
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2023.
Subsequent reports are due every 12 calendar month(s).

Condition 38: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR 227-3.4 (a) (2)

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

By May 1, 2025, the owner or operator of an affected source must calculate all 24-hour daily heat input-weighted average NO_x emission rates from block hourly arithmetic emission rate averages calculated by the CEMS to demonstrate compliance with a 24-hour daily heat input-weighted average NO_x emission rate. Facilities that are subject to 40 CFR part 75 will calculate their NO_x emission rate using part 75 monitoring requirements. Facilities that are not subject to 40 CFR part 75 may calculate their NO_x emission rate using either 40 CFR part 60, appendix A, method 19 or 40 CFR part 75. The applicant must maintain these records for a minimum of 5 years.

Manufacturer Name/Model Number: NO_x Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 25 parts per million by volume (dry,
corrected to 15% O₂)

Reference Test Method: Either 40 CFR 60 Appendix F or 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

Condition 39: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR 227-3.4 (a) (2)

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

By May 1, 2025, the owner or operator of an affected source must submit to the Department a compliance test protocol for Department approval at least 30 days prior to conducting the test. The owner or operator must submit a compliance test report containing the results of the emission test to the Department for approval no later than 60 days after completion of the emission test. The owner or operator must maintain a copy of the test report until a new test report has been approved by the Department. The approved test results will be used to calculate compliance with the applicable NO_x emission limit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 25 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: Method 20

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

Condition 40: Applicability
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 40.1:

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

Condition 41: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

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Applicable Federal Requirement:40CFR 97.406, Subpart AAAAA**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418 of Subpart AAAAA. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.
- (2) The facility, and the designated representative, of each TR NOx Annual source (facility) and each TR NOx Annual Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435 of Subpart AAAAA and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.
- (3) The emissions data determined shall be used to calculate allocations of TR NOx Annual allowances and to determine compliance with the TR NOx Annual emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NOx Annual facility and each TR NOx Annual Unit at the facility shall hold, in the facilities compliance account, TR NOx Annual

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allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NOx emissions for such control period from all TR NOX Annual Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 42: Compliance Certification
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:40CFR 97.1006, Subpart GGGGG

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.1013 through 97.1018 of Subpart GGGGG. The facility shall notify the Department of this representative (and alternate) with contact information upon issuance of this permit and when any changes are made to the representative (or alternate) or their contact information.

(2) The facility, and the designated representative, of each CSAPR NOx Ozone Season Group 3 source (facility) and each CSAPR NOx Ozone Season Group unit at the facility must comply with the monitoring, reporting, and recordkeeping requirements of §§97.1030 through 97.1035 of Subpart GGGGG and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are to be submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are to be submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.

(3) The emissions data determined shall be used to

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calculate allocations of CSAPR NOx Ozone Season allowances and to determine compliance with the CSAPR NOx Ozone Season emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOx Ozone Season facility and each CSAPR NOx Ozone Season Unit at the facility shall hold, in the facilities compliance account, CSAPR NOx Ozone Season allowances available for deduction for such control period under §97.1024(a) in an amount not less than the tons of total NOx emissions for such control period from all CSAPR NOx Ozone Season Group 3 units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 43: Emission Point Definition By Emission Unit
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 43.1:

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

Emission Unit: 1-00001

Emission Point: 00001

Height (ft.): 45	Length (in.): 21	Width (in.): 15
NYTMN (km.): 4587.034	NYTME (km.): 548.249	Building: GTBLDG

Item 43.2:

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

Emission Unit: 1-00002

Emission Point: 00002

Height (ft.): 13	Diameter (in.): 8
NYTMN (km.): 4587.023	NYTME (km.): 548.251

Building: ICBLDG

Condition 44: Process Definition By Emission Unit
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 44.1:

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

Emission Unit: 1-00001

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Process: 1GS Source Classification Code: 2-01-002-01

Process Description:

Two natural gas-fired stationary jet engines drive a simple cycle gas turbine rated at 40 MW generating electricity for sale.

Emission Source/Control: 0GT01 - Combustion

Design Capacity: 512 million Btu per hour

Item 44.2:

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

Emission Unit: 1-00001

Process: 1OL

Source Classification Code: 2-01-009-01

Process Description:

Two distillate-fired engines drive a simple cycle gas turbine rated at 40 MW to generate electricity for sale. Distillate shall include jet fuel A, kerosene and a distillate/biodiesel blend.

Emission Source/Control: 0GT01 - Combustion

Design Capacity: 512 million Btu per hour

Item 44.3:

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

Emission Unit: 1-00002

Process: 2GS

Source Classification Code: 2-02-002-02

Process Description:

Natural gas-fired reciprocating internal combustion engine used to boost the pressure of the natural gas supplied to the gas turbine.

Emission Source/Control: 0IC01 - Combustion

Design Capacity: 560 kilowatts

Condition 45: Compliance Certification

Effective between the dates of 02/23/2022 and 02/22/2027

Applicable Federal Requirement: 6 NYCRR 227-1.4 (a)

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00002

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No owner or operator of a stationary combustion

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installation subject to this Subpart shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator will conduct a Method 9 test annually. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, Appendix A, Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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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: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction provision contained in any applicable requirement.

Item B: 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

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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 46: Contaminant List**Effective between the dates of 02/23/2022 and 02/22/2027****Applicable State Requirement:ECL 19-0301****Item 46.1:**

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

CAS No: 000124-38-9
Name: CARBON DIOXIDE

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

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

Condition 47: Malfunctions and Start-up/Shutdown Activities**Effective between the dates of 02/23/2022 and 02/22/2027****Applicable State Requirement:6 NYCRR 201-1.4****Item 47.1:**

(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

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maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, 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 monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall 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. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. 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, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility 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 48: CLCPA Applicability
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable State Requirement:6 NYCRR 201-6.5 (a)

Item 48.1:

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

Condition 49: Compliance Demonstration
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable State Requirement:6 NYCRR 242-1.5

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Item 49.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 49.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators and, to the extent applicable, the CO₂ authorized account representative of each CO₂ budget source and each CO₂ budget unit at the source shall comply with the monitoring requirements of Subpart 242-8. The emissions measurements recorded and reported in accordance with Subpart 242-8 of this Part shall be used to determine compliance by the unit with the following CO₂ requirements:

(1) The owners and operators of each CO₂ budget source and each CO₂ budget unit at the source shall hold CO₂ allowances available for compliance deductions under Section 242-6.5, as of the CO₂ allowance transfer deadline, in the source's compliance account in an amount not less than the total CO₂ emissions for the control period from all CO₂ budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.

(2) Each ton of CO₂ emitted in excess of the CO₂ budget emissions limitation shall constitute a separate violation of this Part and applicable state law.

(3) A CO₂ budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.

(4) CO₂ allowances shall be held in, deducted from, or transferred among CO₂ Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.

(5) A CO₂ allowance shall not be deducted, in order to comply with the requirements specified in item 1, for a control period that ends prior to the allocation year for which the CO₂ allowance was allocated. A CO₂ offset allowance shall not be deducted, in order to comply with the requirements under item 1, beyond the applicable percent limitations set out in 6NYCRR Part 242-6.5(a)(3).

(6) A CO₂ allowance under the CO₂ Budget Trading Program is a limited authorization by the Department or a

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participating state to emit one ton of CO2 in accordance with the CO2 Budget Trading Program. No provision of the CO2 Budget Trading Program, the CO2 budget permit application, or the CO2 budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit such authorization.

(7) A CO2 allowance under the CO2 Budget Trading Program does not constitute a property right.

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 7/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 50: Compliance Demonstration
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable State Requirement: 6 NYCRR 242-1.5

Item 50.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 50.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of the CO2 budget source and each CO2 budget unit at the source shall keep on site at the source each of the following documents for a period of 10 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 10 years, in writing by the department.

(i) The account certificate of representation for the CO2 authorized account representative for the source and each CO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 6 NYCRR Part 242-2.4, provided that the certificate and documents shall be retained on site at the source beyond such 10-year period until such documents are superseded because of the submission of a new account certificate of representation.

(ii) All emissions monitoring information, in accordance with Subpart 242-8 and 40 CFR 75.57.

(iii) Copies of all reports, compliance certifications,

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and other submissions and all records made or required under the CO2 Budget Trading Program.

(iv) Copies of all documents used to complete a CO2 budget permit application and any other submission under the CO2 Budget Trading Program or to demonstrate compliance with the requirements of the CO2 Budget Trading Program.

The CO2 authorized account representative of a CO2 budget source and each CO2 budget unit at the source shall submit the reports and compliance certifications required under the CO2 Budget Trading Program, including those under Subpart 242-4.

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 7/30/2022.

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

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

Condition 51: Compliance Demonstration

Effective between the dates of 02/23/2022 and 02/22/2027

Applicable State Requirement: 6 NYCRR 251.3 (b)

Item 51.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 51.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

On or after December 31, 2020, owners or operators of non-modified existing sources shall not fire any single fossil fuel, alone or in combination with any other fuel, where each fossil fuel is required to meet an emission rate of 1800 pounds of CO2 per MW hour gross electrical output (output-based limit). These emission limits are measured on an annual basis, calculated by dividing the annual total of CO2 emissions for the calendar year by the annual total MW hour gross electrical output (output-based limit) for each separate fossil fuel fired.

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The owner or operator must maintain all records associated with these requirements on site or at a location acceptable to the Department for a minimum of five years.

Manufacturer Name/Model Number: CO2 Continuous Monitor
 Parameter Monitored: CARBON DIOXIDE
 Upper Permit Limit: 1800 pounds per megawatt hour
 Monitoring Frequency: CONTINUOUS
 Averaging Method: CALENDAR YEAR AVERAGE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 4/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 52: Compliance Demonstration
Effective between the dates of 02/23/2022 and 02/22/2027

Applicable State Requirement: 6 NYCRR 251.3 (b)

Item 52.1:
 The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00002

Regulated Contaminant(s):
 CAS No: 000124-38-9 CARBON DIOXIDE

Item 52.2:
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
 Monitoring Description:

On or after December 31, 2020, owners or operators of non-modified existing sources shall not fire any single fossil fuel, alone or in combination with any other fuel, where each fossil fuel is required to meet an emission rate of 1800 pounds of CO2 per MW hour gross electrical output (output-based limit). These emission limits are measured on an annual basis, calculated by dividing the annual total of CO2 emissions for the calendar year by the annual total MW hour gross electrical output (output-based limit) for each separate fossil fuel fired. The owner or operator must maintain all records associated with these requirements on site or at a location acceptable to the Department for a minimum of five years.

Manufacturer Name/Model Number: CO2 Continuous Monitor
 Parameter Monitored: CARBON DIOXIDE
 Upper Permit Limit: 1800 pounds per megawatt hour
 Monitoring Frequency: CONTINUOUS
 Averaging Method: CALENDAR YEAR AVERAGE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.

Permit ID: 3-3309-00040/00004

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The initial report is due 4/30/2022.
Subsequent reports are due every 3 calendar month(s).

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