

Facility DEC ID: 8180200045

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-1802-00045/00022
Effective Date: 11/29/2021 Expiration Date: 11/28/2026

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 8-1802-00045/00025
Effective Date: 11/29/2021 Expiration Date: 11/28/2026

Permit Issued To: SENECA POWER PARTNERS LP
163 CEDAR ST
BATAVIA, NY 14020

Contact: GREG SHARLAND
Seneca Power Partners
163 Cedar St
Batavia, NY 14020
(315) 393-9048

Facility: BATAVIA POWER PLANT
163 CEDAR ST
BATAVIA, NY 14020

Contact: GREG SHARLAND
Seneca Power Partners
163 Cedar St
Batavia, NY 14020
(315) 393-9048

Description:

Renewal 3 Title IV (Acid Rain) Facility Permit and Title V Facility Permit, for 57 megawatt steam and electrical power cogeneration facility, the Batavia Power Plant, located at 163 Cedar Street in the City of Batavia. The Title V Facility Permit was originally issued January 18, 2000. No changes in operations are proposed in the application for the Title IV Permit and the Title V Permit renewal.

The single Facility Emission Unit includes a 551.3 million BTU per hour natural gas fired turbine generator, two 16 million BTU per hour natural gas fired steam backup boilers, a 10.9 million BTU per hour diesel powered backup plant electrical supply generator, and a diesel powered starting engine for the gas turbine. The facility remains subject to the requirements of 6NYCRR Part 201-6 (Title V) for Major Stationary Sources due to potential emissions of oxides of nitrogen (NO_x) and carbon monoxide (CO) in excess of 100 tons per year each.

The renewed Title V permit retains the NO_x cap in the initial Title V Permit,

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restricting NO_x emissions to 499,800 pounds per year calculated on a rolling 12 month basis. This caps the facility's NO_x emissions below the 250 ton per year applicability threshold in federal 40 CFR 52.21 Prevention of Significant Deterioration (PSD) regulations. Since facility construction in 1990, the facility has operated with NO_x emissions restricted to below 250 tons per year.

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: KIMBERLY A MERCHANT
6274 E AVON LIMA RD
AVON, NY 14414-9519

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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- 5 2 Relationship of this Permit to Other Department Orders and Determinations
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Facility Level

- 6 5 Submission of application for permit modification or renewal-REGION 8 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

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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 8
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 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(585) 226-2466

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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: SENECA POWER PARTNERS LP
163 CEDAR ST
BATAVIA, NY 14020

Facility: BATAVIA POWER PLANT
163 CEDAR ST
BATAVIA, NY 14020

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4931 - ELEC & OTHER SERVICES COMBINED
4961 - STEAM SUPPLY

Permit Effective Date: 11/29/2021

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27	31	6 NYCRR 225-1.2 (d): Compliance Certification
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31	39	40CFR 60.48c(g)(2), NSPS Subpart Dc: Alternative recordkeeping
32	40	40CFR 60.48c(i), NSPS Subpart Dc: Compliance Certification
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- 33 43 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 33 44 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
- 34 45 6 NYCRR 201-7.1: Emission Unit Permissible Emissions

EU=1-CMBTN

- 34 46 6 NYCRR 207.3 (d): Episode action plans.

EU=1-CMBTN,Proc=ALL,ES=000GT

- 34 47 6 NYCRR Subpart 201-6: Compliance Certification
- 35 48 6 NYCRR Subpart 201-6: Compliance Certification
- 37 49 6 NYCRR 227-2.4 (e) (2): Compliance Certification
- 37 50 6 NYCRR 227-2.4 (e) (2): Compliance Certification
- 39 51 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 39 52 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification

EU=1-CMBTN,Proc=ALL,ES=DETEN

- 40 53 6 NYCRR 227-2.4 (f) (3): Compliance Certification

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- 43 54 ECL 19-0301: Contaminant List
- 43 55 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 44 56 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 44 57 6 NYCRR 211.1: Air pollution prohibited
- 45 58 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
- 45 59 6 NYCRR 242-1.5: Compliance Demonstration
- 46 60 6 NYCRR 242-1.5: Compliance Demonstration
- 48 61 6 NYCRR Subpart 242-4: Compliance Demonstration
- 49 62 6 NYCRR Subpart 242-8: Compliance Demonstration
- 51 63 6 NYCRR 242-8.5: Compliance Demonstration
- 53 64 6 NYCRR 251.6 (f): Compliance Demonstration

Emission Unit Level

EU=1-CMBTN

- 54 65 6 NYCRR 201-1.4: Compliance Demonstration
- 55 66 6 NYCRR 201-1.4: Compliance Demonstration
- 56 67 6 NYCRR 201-1.4: Compliance Demonstration
- 57 68 6 NYCRR 201-1.4: Compliance Demonstration
- 58 69 6 NYCRR 201-1.4: Compliance Demonstration
- 59 70 6 NYCRR 201-1.4: Compliance Demonstration
- 60 71 6 NYCRR 201-1.4: Compliance Demonstration
- 61 72 6 NYCRR 201-1.4: Compliance Demonstration
- 62 73 6 NYCRR 201-1.4: Compliance Demonstration

EU=1-CMBTN,Proc=ALL,ES=000GT

- 63 74 6 NYCRR 251.3 (b): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 3/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

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reissuance, or termination, or of a notification of 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

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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 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

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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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 11/29/2021 and 11/28/2026**

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

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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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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

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reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

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,

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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

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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.

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 1/30/2022.

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

**Condition 6: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026**

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 recordkeeping and reporting requirements of this permit;

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- 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. 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 Region 8 Headquarters
 6274 East Avon-Lima Road
 Avon, NY 14414-9519

The address for the BQA is as follows:

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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 1/30/2022.
 Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

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 shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be submitted electronically or 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 11/29/2021 and 11/28/2026

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

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Effective between the dates of 11/29/2021 and 11/28/2026

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.

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**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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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

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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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

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

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(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 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 17.1:

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 18: Accidental release provisions.
Effective between the dates of 11/29/2021 and 11/28/2026

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 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 82, Subpart F

Item 19.1:

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

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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 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 20.1:

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

Emission Unit: 1-CMBTN

Emission Unit Description:

This Emission Unit consists of a single General Electric Frame 6 gas turbine and heat recovery steam generator (HRSG) with steam injection (EP 00001); two identical natural gas fired 16 MMBtu/hr auxiliary boilers with a combined stack (EP 00002); and a distillate oil fired starting engine for the gas turbine (EP 00006) which are used for electricity generation and steam production. This emission unit also includes a permit-exempt auxiliary generator firing distillate fuel oil.

Building(s): 1

Condition 21: Progress Reports Due Semiannually

Effective between the dates of 11/29/2021 and 11/28/2026

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

Item 21.1:

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 22: Operational Flexibility

Effective between the dates of 11/29/2021 and 11/28/2026

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

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Item 22.1:

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 23: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

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

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Protocol

I. Protocol Objective

The objective of this condition is to enable operational flexibility at the facility by building the capability to make certain changes pursuant to this protocol into the Title V permit. As provided under 6 NYCRR Part 201-6.4(f), changes made under an approved protocol are not subject to the Title V permit modification provisions under 6 NYCRR Part 201-6.6 unless required by the Department pursuant to 201-6.4(f)(4).

II. Protocol

A. Criteria

1. Changes reviewed under this protocol shall be evaluated in accordance with the following criteria:

a. All underlying federal and state requirements with which the new or changed operation or emission source must comply must exist in the Title V permit. Existing permit conditions may be amended to reference or include the new or changed operation or emission source and any related information, and/or subject to the Department’s approval, new conditions proposed, to provide the appropriate monitoring parameters.

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b. Any new or changed emission source shall not be part of a source project that results in a significant net emission increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231.

c. The facility shall not use the protocol to make physical changes or changes in the method of operation of existing emissions sources that would require a new or modified federally enforceable emissions cap. Such changes must be addressed via the significant permit modification provisions.

B. Notification Requirements for Changes Reviewed under the Protocol

1. The facility shall notify the Department in writing of the proposed change at least 15 days in advance of making the proposed change.

2. Notifications made in accordance with this protocol must include the following information:

a. Identification of the Title V permit emission unit, process(es), emission source(s) and emission point(s) affected by the proposed change with applicable revisions to the Emission Unit structure;

b. Description of the proposed change, including operating parameters affected;

c. Identification and description of emissions control device or technology that will be used; and

d. Documentation of the project's, or emission source's, compliance with respect to all state and/or federally applicable requirements, including the following:

i. Calculations demonstrating the emission rate potential and maximum projected annual actual emission rates for all contaminants affected by the change;

ii. Documentation demonstrating that the change is not subject to the New Source Review requirements described in 6 NYCRR Part 231;

iii. Identification and evaluation of all state and federal regulations applicable to the proposed change;

iv. A description of any additional operating and record keeping procedures necessary to ensure compliance with all

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applicable requirements; and

v. Any other relevant information used for the evaluation of the proposed change under this protocol.

e. Any other relevant information used for the evaluation of the proposed project or emission source under the Protocol.

C. Review and Approval of Changes

1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification required by Section II.B of this protocol.

2. The Department may require a permit modification in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to the notification do not meet the criteria under Section II. A above or that the changes may have a significant air quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).

3. The Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the proposed change, which may include potential air quality impacts and/or applicable requirements. The Department's determination shall include a listing of information required for further review, if necessary.

D. Additional Compliance Obligations for Changes Made Under this Protocol

1. Upon commencement of the change, the facility shall comply with all applicable requirements and permit conditions, including any amended or proposed in accordance with II.A.1.a above.

2. The facility shall provide with the semiannual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the compliance status of each. Changes reported should include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.

3. The facility shall include each change made pursuant to this protocol in the next application for permit

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modification or renewal, whichever is first. Changes made pursuant to this protocol are not subject to the permit shield provisions described in 6 NYCRR 201-6.4(g) until they are incorporated into the Title V permit.

4. The facility shall maintain a record of each change made pursuant to this protocol at the facility and shall make such records available to the Department upon request.

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 1/30/2022.

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

Condition 24: Non Applicable requirements
Effective between the dates of 11/29/2021 and 11/28/2026

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

Item 24.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

40 CFR Part 63, Subpart DDDDD

Reason: The auxiliary steam boilers are not subject to NESHAP Subpart DDDDD per 40 CFR 63.7348 since the facility is an area source of hazardous air pollutants.

40 CFR Part 63, Subpart JJJJJ

Reason: The auxiliary steam boilers are not subject to NESHAP Subpart JJJJJ per 40 CFR 63.11195(e) since they meet the definition of "gas-fired boilers".

Condition 25: Facility Permissible Emissions
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 25.1:

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: 000630-08-0

PTE: 499,880 pounds per year

Name: CARBON MONOXIDE

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CAS No: 0NY210-00-0

PTE: 499,800 pounds per year

Name: OXIDES OF NITROGEN

Condition 26: Capping Monitoring Condition**Effective between the dates of 11/29/2021 and 11/28/2026****Applicable Federal Requirement: 6 NYCRR 201-7.1****Item 26.1:**

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 52.21

Item 26.2:

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

Item 26.3:

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 26.4:

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 26.5:

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 26.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL

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DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

To ensure that carbon monoxide (CO) remain below the Prevention of Significant Deterioration thresholds under 40 CFR 52.21, facility CO emissions are limited to 499,800 pounds per year on a rolling twelve-month basis.

To demonstrate compliance with this limit, the facility must determine the actual 12-month rolling CO emissions (in pounds per year) on a monthly basis. Actual CO emissions must be calculated based on hours of operation or fuel usage and emissions factors acceptable to the Department. If a CEMS is used to measure CO emissions, CEMS data must be used.

The facility owner or operator must submit an Annual Capping Report for CO emissions from the prior calendar year in a format acceptable to the Department. Records of emissions, supporting information, and reports must be maintained for a period of at least five years and made available to the Department upon request.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 499800 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 27: Capping Monitoring Condition
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement: 6 NYCRR 201-7.1**Item 27.1:**

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:

6 NYCRR Subpart 231-3
40 CFR 52.21

Item 27.2:

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

Item 27.3:

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.

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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 27.4:

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 27.5:

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 27.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To ensure that oxides of nitrogen (NO_x) remain below the Prevention of Significant Deterioration thresholds under 40 CFR 52.21, facility NO_x emissions are limited to 499,800 pounds per year on a rolling twelve-month basis.

To demonstrate compliance with this limit, the facility must determine the actual 12-month rolling NO_x emissions (in pounds per year) on a monthly basis. Actual NO_x emissions must be calculated based on hours of operation or fuel usage and emissions factors acceptable to the Department. If a CEMS is used to measure NO_x emissions, CEMS data must be used. During periods where the CEMS is out-of-control the facility must use acceptable data substitution procedures in accordance with 40 CFR Part 75.

The facility owner or operator must submit an Annual Capping Report for NO_x emissions from the prior calendar year in a format acceptable to the Department. Records of emissions, supporting information, and reports must be maintained for a period of at least five years and made

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available to the Department upon request.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 499800 pounds per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2022.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Emission Testing, Sampling and Analytical Determinations
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR Subpart 202-1

Item 28.1:

The provisions of 6NYCRR Subpart 202-1 apply to this facility.

Condition 29: Notification
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR 202-1.2

Item 29.1:

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 30: Visible Emissions Limited
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR 211.2

Item 30.1:

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 31: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

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

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

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turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document.

For applicable sources that have not operated since the effective date of this regulation, the annual tune-up must be performed prior to resuming operation.

Records of each tune-up must be kept on-site for a minimum of five years and made available to the Department upon request.

Reference Test Method: DEC Program Policy DAR-5
 Monitoring Frequency: ANNUALLY
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 33: Applicability of Subpart A General Provisions
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 33.1:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 34: EPA Region 2 address.
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 34.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
 USEPA Region 2
 290 Broadway, 21st Floor
 New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

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Condition 35: Recordkeeping requirements.

Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.7(b), NSPS Subpart A

Item 35.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 36: Compliance Certification

Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.7(c), NSPS Subpart A

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each six (6) month period (or as appropriate), and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the

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continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2022.
Subsequent reports are due every 6 calendar month(s).

Condition 37: Opacity standard compliance testing.
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 37.1:

The following conditions shall be used to determine compliance with the opacity standards:

- 1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);
- 2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and
- 3) all other applicable conditions cited in section 60.11 of this part.

Condition 38: Monitoring requirements.
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 38.1:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 39: Alternative recordkeeping
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.48c(g)(2), NSPS Subpart Dc

Item 39.1:

This Condition applies to:

Emission Unit: 1CMBTN
Process: ALL Emission Source: AUXB2

Emission Unit: 1CMBTN
Process: ALL Emission Source: AUXBS

Item 39.2:

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As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in 40 CFR 60.48c(f) to demonstrate compliance with the SO₂ standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

Condition 40: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement: 40CFR 60.48c(i), NSPS Subpart Dc

Item 40.1:

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

Emission Unit: 1-CMBTN	
Process: ALL	Emission Source: AUXB2
Emission Unit: 1-CMBTN	
Process: ALL	Emission Source: AUXBS

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 41: General Provisions
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement: 40CFR 63, Subpart A

Item 41.1:

This emission source is subject to the applicable provisions of 40 CFR 63 Subpart A. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 42: Applicability
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement: 40CFR 63, Subpart ZZZZ

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Item 42.1:

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

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

**Condition 43: Emission Point Definition By Emission Unit
Effective between the dates of 11/29/2021 and 11/28/2026**

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-CMBTN
- Emission Point: 00001
 - Height (ft.): 150 Diameter (in.): 132
 - NYTMN (km.): 4763.921 NYTME (km.): 242.429 Building: 1
- Emission Point: 00002
 - Height (ft.): 76 Diameter (in.): 36
 - NYTMN (km.): 4763.921 NYTME (km.): 242.429 Building: 1
- Emission Point: 00006
 - Height (ft.): 20 Diameter (in.): 12
 - NYTMN (km.): 4763.921 NYTME (km.): 242.429 Building: 1

**Condition 44: Process Definition By Emission Unit
Effective between the dates of 11/29/2021 and 11/28/2026**

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-CMBTN
- Process: ALL Source Classification Code: 2-03-002-03
- Process Description:
 - This process includes the turbine/HRSG, firing natural gas; auxiliary boilers (one or both) firing natural gas; and the starting engine firing distillate oil; all operating simultaneously, or in any combination to generate electricity or steam.
- Emission Source/Control: 000GT - Combustion
Design Capacity: 551.3 million Btu per hour
- Emission Source/Control: AUXB2 - Combustion
Design Capacity: 16 million Btu per hour

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Emission Source/Control: AUXBS - Combustion
Design Capacity: 16 million Btu per hour

Emission Source/Control: DETEN - Combustion
Design Capacity: 4.61 million Btu per hour

Emission Source/Control: 0SINJ - Control
Control Type: STEAM OR WATER INJECTION

Condition 45: Emission Unit Permissible Emissions
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 45.1:

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 1-CMBTN

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 122.3 pounds per hour

499,800 pounds per year

Condition 46: Episode action plans.
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR 207.3 (d)

Item 46.1:

This Condition applies to Emission Unit: 1-CMBTN

Item 46.2:

Any person who owns an air contamination source for which an episode action plan has been issued or approved shall take whatever actions are prescribed by this episode action plan when an air pollution episode is in effect.

Condition 47: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Permit ID: 8-1802-00045/00022

Facility DEC ID: 8180200045

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

In accordance with 6 NYCRR 201-6 and consistent with the emissions determined during the initial stack test, CO emissions from the gas turbine (ES GT001) are limited to 41 lbs per hour at 48 degrees F. CO mass emission rates across the temperature spectrum are limited to those identified initial permit application.

To demonstrate compliance with this limit, CO emissions from the gas turbine must be monitored via a continuous emission monitoring system (CEMS) or another system approved by the Department. The CO CEMS must be installed, calibrated, maintained, and operated in accordance with the applicable performance specification and quality assurance protocol under 40 CFR 60, Appendix B and 40 CFR 60, Appendix F, respectively.

The facility owner or operator must submit quarterly excess emissions and monitoring systems performance report in accordance with 40 CFR 60.7(c) (or, a summary report under 40 CFR 60.7(d) for qualifying quarters.) These reports may be combined with the quarterly monitoring reports required elsewhere in this permit.

CEMS data and records of submitted reports must be maintained for a period of at least five years and made available upon request.

Manufacturer Name/Model Number: CEM System

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 41 pounds per hour

Reference Test Method: EPA Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 48: Compliance Certification**Effective between the dates of 11/29/2021 and 11/28/2026****Applicable Federal Requirement: 6 NYCRR Subpart 201-6**

Permit ID: 8-1802-00045/00022

Facility DEC ID: 8180200045

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

In accordance with 6 NYCRR 201-6 and consistent with the emissions determined during the initial stack test, CO emissions from the gas turbine (ES GT001) are limited to 40 ppmv (dry, corrected to 15% oxygen).

To demonstrate compliance with this limit, CO emissions from the gas turbine must be monitored via a continuous emission monitoring system (CEMS) or another system approved by the Department. The CO CEMS must be installed, calibrated, maintained, and operated in accordance with the applicable performance specification and quality assurance protocol under 40 CFR 60, Appendix B and 40 CFR 60, Appendix F, respectively.

The facility owner or operator must submit quarterly excess emissions and monitoring systems performance report in accordance with 40 CFR 60.7(c) (or, a summary report under 40 CFR 60.7(d) for qualifying quarters.) These reports may be combined with the quarterly monitoring reports required elsewhere in this permit.

CEMS data and records of submitted reports must be maintained for a period of at least five years and made available upon request.

Manufacturer Name/Model Number: CEM System

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 40 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR 60, Subpart B and Subpart F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

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Condition 49: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2)

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

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

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In accordance with the requirements for combined cycle combustion turbine under 6 NYCRR 227-2.4(e)(2), the gas turbine is subject to case-by-case NOx RACT. To demonstrate compliance with this requirement the facility owner or operator must submit an addendum to the case-by-case NOx RACT analysis submitted August 16, 2021 within 30 days of the effective date of this permit evaluating the feasibility of add-on/other NOx controls and process adjustments.

The analysis must be prepared in accordance with NYSDEC Program Policy DAR-20: Economic and Technical Analysis for Reasonably Available Control Technology (RACT). If the addendum RACT analysis demonstrates that add-on controls or process adjustments are technically and economically feasible, the facility owner or operator must submit a permit modification application within 90 days of the analysis incorporating the additional NOx controls or limits, as applicable. Any permit application must include any new requirements (for example, emission limits, monitoring, and record keeping requirements) and a how the facility intends to comply with the provisions of this Subpart.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 50: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

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Facility DEC ID: 8180200045

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2)

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

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

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

In accordance with 6 NYCRR 227-2.4(e)(2) and the RACT analysis evaluating the technical feasibility of adjustments to the existing steam injection system, Oxides of Nitrogen (NOx) emissions from the gas turbine (ES GT001) are limited to 41 ppmv (dry, corrected to 15% oxygen) on an hourly block average basis.

NOx emissions from the turbine must be controlled through the existing steam injection process consistent with the original manufacturer's specifications. To demonstrate compliance with this limit, NOx emissions from the gas turbine must be monitored via a continuous emission monitoring system (CEMS) or another system approved by the Department. Facility owners or operators required to use 40 CFR Part 75 monitoring reference methods are required to do so. Other facility owners or operators may use either 40 CFR Part 60 or 40 CFR Part 75 monitoring reference methods.

The facility owner or operator must submit quarterly excess emissions and monitoring systems performance report. These reports may be combined with the quarterly monitoring reports required elsewhere in this permit.

CEMS data and records of submitted reports must be maintained for a period of at least five years and made available upon request.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 41 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR BLOCK AVERAGE

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Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 51: CEMS
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.334(b), NSPS Subpart GG

Item 51.1:
 This Condition applies to Emission Unit: 1-CMBTN
 Process: ALL Emission Source: 000GT

Item 51.2:
 The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

Condition 52: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement:40CFR 60.334(h)(3), NSPS Subpart GG

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

Emission Unit: 1-CMBTN
 Process: ALL Emission Source: 000GT

Item 52.2:
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

Notwithstanding the provisions of paragraph (h)(1) of 40 CFR 60.334(h), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use

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one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR part 75 of this chapter is required.

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 1/30/2022.

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

Condition 53: Compliance Certification
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable Federal Requirement: 6 NYCRR 227-2.4 (f) (3)

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: DETEN

Regulated Contaminant(s):

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

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to stationary internal combustion engines that have a maximum mechanical output rating equal to or greater than 200 brake horsepower in a severe ozone nonattainment area or 400 brake horsepower outside a severe ozone nonattainment area and are fired by distillate oil. The owner or operator is required to submit a compliance testing protocol to the department for approval at least 90 days prior to testing. The owner or operator will maintain all records on-site for a minimum of five years.

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Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.3 grams per brake horsepower-hour
Reference Test Method: 40 CFR 60 Appendix A - Method 7, 7E, or 19
Monitoring Frequency: Once every five years
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2022.
Subsequent reports are due every 6 calendar month(s).

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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

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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 54: Contaminant List
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: ECL 19-0301

Item 54.1:

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: 000630-08-0
Name: CARBON MONOXIDE

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

Condition 55: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 55.1:

(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.

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(b) The facility owner or operator shall compile and maintain records of all equipment 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 56: CLCPA Applicability
Effective between the dates of 11/29/2021 and 11/28/2026

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

Item 56.1:

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 57: Air pollution prohibited
Effective between the dates of 11/29/2021 and 11/28/2026

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Applicable State Requirement:6 NYCRR 211.1**Item 57.1:**

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 58: CO2 Budget Trading Program - Excess emission requirements
Effective between the dates of 11/29/2021 and 11/28/2026****Applicable State Requirement:6 NYCRR 242-1.5****Item 58.1:**

The owners and operators of a CO2 budget source that has excess emissions in any control period shall:

- (1) forfeit the CO2 allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO2 offset allowances may not be used to cover any part of such excess emissions; and
- (2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).

**Condition 59: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026****Applicable State Requirement:6 NYCRR 242-1.5****Item 59.1:**

The Compliance Demonstration activity will be performed for the Facility.

Item 59.2:

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

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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 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 1/30/2022.

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

Condition 60: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

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Applicable State Requirement: 6 NYCRR 242-1.5

Item 60.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 60.2:

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, 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 1/30/2022.

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

Condition 61: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR Subpart 242-4

Item 61.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 61.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Annual Compliance Certification Report:

(a) For each control period in which a CO2 budget source is subject to the CO2 requirements of subdivision 242-1.5(c) of this Part, CO2 authorized account representative of the source shall submit to the department by March 1st following the relevant control period, a compliance certification report. The control period is a three-calendar-year time period.

(b) The compliance certification report shall include the following elements:

(1) identification of the source and each CO2 budget unit at the source;

(2) as an option, the serial numbers of the CO2 allowances that are to be deducted from the source's compliance account under section 242-6.5 of this Part for the control period, including the serial numbers of any CO2 offset allowances that are to be deducted subject to the limitations of section 242-6.5(a)(3) of this Part; and

(3) the compliance certification under subdivision (c) of this section (below).

(c) In the compliance certification report the CO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the CO2 budget units at the source in compliance with the CO2 Budget Trading Program, whether the source and each CO2 budget unit at the source for which the compliance certification

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is submitted was operated during the calendar years covered by the report in compliance with the requirements of the CO2 Budget Trading Program, including:

- (1) whether the source was operated in compliance with the CO2 requirements of section 242-1.5(c) of this Part;
- (2) whether the monitoring plan applicable to each unit at the source has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute CO2 emissions to the unit, in accordance with Subpart 242-8 of this Part;
- (3) whether all the CO2 emissions from the units at the source 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 242-8 of this Part. 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;
- (4) whether the facts that form the basis for certification under Subpart 242-8 of each monitor at each unit at the source, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 242-8 of this Part, if any, have changed; and
- (5) if a change is required to be reported under paragraph (c)(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: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 62: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR Subpart 242-8

Item 62.1:

The Compliance Demonstration activity will be performed for the Facility.

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Facility DEC ID: 8180200045

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 62.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping and Reporting (6NYCRR Part 242-8.5)

(a) General provisions. The CO₂ authorized account representative shall comply with all recordkeeping and reporting requirements in this section, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of section 242-2.1(e) of this Part.

(b) Monitoring plans. The owner or operator of a CO₂ budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO₂ authorized account representative shall submit an application to the department within 45 days after completing all CO₂ monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).

(d) Quarterly reports. The CO₂ authorized account representative shall submit quarterly reports, as follows:

(1) The CO₂ authorized account representative shall report the CO₂ mass emissions data and heat input data for the CO₂ budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO₂ authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO₂ budget unit (or group of units using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NO_x, and SO₂ provisions.

(3) The CO₂ authorized account representative shall submit to the department or its agent a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's

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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 this Subpart and 40 CFR part 75, including the quality assurance procedures and specifications;

(ii) for a unit with add-on CO₂ emissions controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emissions controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of 40 CFR part 75 and the substitute values do not systematically underestimate CO₂ emissions; and

(iii) the CO₂ concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO₂ emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 63: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 242-8.5

Item 63.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 63.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping and Reporting (6NYCRR Part 242-8.5)

(a) General provisions. The CO₂ authorized account representative shall comply with all recordkeeping and reporting requirements in this section, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of section 242-2.1(e) of this Part.

(b) Monitoring plans. The owner or operator of a CO₂ budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

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(c) Certification applications. The CO₂ authorized account representative shall submit an application to the department within 45 days after completing all CO₂ monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).

(d) Quarterly reports. The CO₂ authorized account representative shall submit quarterly reports, as follows:

(1) The CO₂ authorized account representative shall report the CO₂ mass emissions data and heat input data for the CO₂ budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO₂ authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO₂ budget unit (or group of units using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NO_x, and SO₂ provisions.

(3) The CO₂ authorized account representative shall submit to the department or its agent a compliance certification 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 this Subpart and 40 CFR part 75, including the quality assurance procedures and specifications;

(ii) for a unit with add-on CO₂ emissions controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emissions controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of 40 CFR part 75 and the substitute values do not systematically underestimate CO₂ emissions; and

(iii) the CO₂ concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO₂ emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

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Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 64: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 251.6 (f)

Item 64.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 64.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators that choose not to demonstrate compliance with the provisions in subdivision 251.3(b) of this Part through the use of a CEM may utilize an alternative monitoring plan as approved by the Department. The owners or operators may submit their annual reports under one of the following provisions:

- (1) Sources subject to the reporting requirements of 6 NYCRR Subpart 202-2 of this Title may use their annual emission statement to satisfy the requirements of this subdivision, or
- (2) Sources subject to the reporting requirements of 40 CFR Part 98 (see Table 1, section 200.9 of this Title) may use their annual submission to EPA to satisfy the requirements of this subdivision, or
- (3) Sources that are not subject to the reporting requirements of 6 NYCRR Subpart 202-2 of this Title or 40 CFR Part 98 (see Table 1, section 200.9 of this Title) must submit an annual report, in a format prescribed by the Department, by the April 15th immediately following the end of the calendar year for which the annual report is required. At a minimum, the annual report should include:
 - (i) Fuel type combusted in each unit subject to this Part;
 - (ii) Quantity of fuel combusted in each unit subject to this Part; and
 - (iii) Heat content of each fuel combusted.

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The approved alternative monitoring shall be cited in a facility specific condition under subdivision 251.3(b) of this Part. and shall at a minimum include the prescribed CO2 emission limit and type of monitoring used to show compliance with said emission limit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 65: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 65.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):

CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 000630-08-0	CARBON MONOXIDE

Item 65.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, cold start duration for the gas turbine (ES 000GT) is limited to a maximum of 2.5 hours per event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record the duration of each start up or shutdown event for the gas turbine. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

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Facility DEC ID: 8180200045

Parameter Monitored: HOURS OF OPERATION
 Upper Permit Limit: 2.5 hours
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 66: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 66.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):
 CAS No: 000630-08-0 CARBON MONOXIDE

Item 66.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, CO emissions from the gas turbine (ES 000GT) are limited to a maximum of 61.5 pounds per warm start event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record total CO emissions during each start up or shutdown event for the gas turbine. Emissions must be monitored using the CO continuous emissions monitoring system (CEMS) required elsewhere in this permit. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

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Facility DEC ID: 8180200045

Parameter Monitored: CARBON MONOXIDE
 Upper Permit Limit: 61.5 pounds per event
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 67: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 67.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):
 CAS No: 000630-08-0 CARBON MONOXIDE

Item 67.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, CO emissions from the gas turbine (ES 000GT) are limited to a maximum of 41 pounds per shutdown event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record total CO emissions during each start up or shutdown event for the gas turbine. Emissions must be monitored using the CO continuous emissions monitoring system (CEMS) required elsewhere in this permit. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: CARBON MONOXIDE

Permit ID: 8-1802-00045/00022

Facility DEC ID: 8180200045

Upper Permit Limit: 61.5 pounds per event
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 68: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 68.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):
 CAS No: 000630-08-0 CARBON MONOXIDE

Item 68.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, CO emissions from the gas turbine (ES 000GT) are limited to a maximum of 102.5 pounds per cold start event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record total CO emissions during each start up or shutdown event for the gas turbine. Emissions must be monitored using the CO continuous emissions monitoring system (CEMS) required elsewhere in this permit. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions and CO emissions, for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: CARBON MONOXIDE
 Upper Permit Limit: 102.5 pounds per event

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Facility DEC ID: 8180200045

Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 69: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 69.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):

CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 000630-08-0	CARBON MONOXIDE

Item 69.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during start up and shutdown activities in accordance with 6 NYCRR 201-1.4, warm start duration for the gas turbine (ES 000GT) is limited to a maximum of 1.5 hours per event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record the duration of each start up or shutdown event for the gas turbine. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: HOURS OF OPERATION

Upper Permit Limit: 1.5 hours

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

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Facility DEC ID: 8180200045

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 70: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 70.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):

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

Item 70.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, NOx emissions from the gas turbine (ES 000GT) are limited to a maximum of 122.3 pounds per shutdown event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record total NOx emissions during each start up or shutdown event for the gas turbine. Emissions must be monitored using the NOx continuous emissions monitoring system (CEMS) required elsewhere in this permit. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 122.3 pounds per event

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
 OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

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Facility DEC ID: 8180200045

Reports due 30 days after the reporting period.
 The initial report is due 1/30/2022.
 Subsequent reports are due every 3 calendar month(s).

Condition 71: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 71.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):

CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 000630-08-0	CARBON MONOXIDE

Item 71.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, shutdown duration for the gas turbine (ES 000GT) is limited to a maximum of 1 hours per event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record the duration of each start up or shutdown event for the gas turbine. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NOx emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: HOURS OF OPERATION

Upper Permit Limit: 1 hours

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
 OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

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Condition 72: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 72.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):

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

Item 72.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, NO_x emissions from the gas turbine (ES 000GT) are limited to a maximum of 305.75 pounds per cold start event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record total NO_x emissions during each start up or shutdown event for the gas turbine. Emissions must be monitored using the NO_x continuous emissions monitoring system (CEMS) required elsewhere in this permit. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NO_x emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 307.75 pounds per event

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Permit ID: 8-1802-00045/00022

Facility DEC ID: 8180200045

Condition 73: Compliance Demonstration
Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 201-1.4

Item 73.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Regulated Contaminant(s):

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

Item 73.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To minimize emissions during startup and shutdown activities in accordance with 6 NYCRR 201-1.4, NO_x emissions from the gas turbine (ES 000GT) are limited to a maximum of 183.45 pounds per warm start event.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record total NO_x emissions during each start up or shutdown event for the gas turbine. Emissions must be monitored using the NO_x continuous emissions monitoring system (CEMS) required elsewhere in this permit. Records of start-ups and shutdowns must be maintained at the facility for a period of at least five years and made available to the Department upon request.

The facility owner or operator must submit quarterly turbine start up and shutdown reports. Quarterly reports must include at a minimum the duration, NO_x emissions, and CO emissions for each event. These reports may be submitted as part of the quarterly excess emissions and CMS downtime reports required elsewhere in this permit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 183.45 pounds per event

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
 OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 74: Compliance Demonstration

Permit ID: 8-1802-00045/00022

Facility DEC ID: 8180200045

Effective between the dates of 11/29/2021 and 11/28/2026

Applicable State Requirement: 6 NYCRR 251.3 (b)

Item 74.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

CAS No: 000124-38-9

CARBON DIOXIDE

Item 74.2:

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 180 pounds of CO₂ per million Btu of input (input-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 Btus (input-based limit) fired 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: 180 pounds per million Btus

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 1/30/2022.

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

Permit ID: 8-1802-00045/00022

Facility DEC ID: 8180200045