

Facility DEC ID: 1472200926

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 1-4722-00926/00006  
Effective Date: Expiration Date:

Permit Type: Title IV (Phase II Acid Rain)  
Permit ID: 1-4722-00926/00009  
Effective Date: Expiration Date:

Permit Issued To: NEW YORK POWER AUTHORITY  
123 MAIN ST  
WHITE PLAINS, NY 10601

Contact: ROBERT RUTLEDGE  
NY POWER AUTHORITY  
123 MAIN STREET  
WHITE PLAINS, NY 10601  
(941) 287-3407

Facility: RICHARD M FLYNN POWER PLANT  
607 UNION AVE  
HOLTSVILLE, NY 11742

Contact: ROBERT RUTLEDGE  
NY POWER AUTHORITY  
123 MAIN STREET  
WHITE PLAINS, NY 10601  
(914) 287-3407

Description:  
This is a renewal of the Title V permit for Richard M Flynn Power Plant, a combined cycle power plant, consisting of one Siemens Combustion Turbine with a heat recovery steam generator (HRSG), a condensing steam turbine generator (STG) and associated exempt support activities which consist of an emergency generator and a diesel pump. The facility generates 150 MW of power. The Siemens turbine is rated at 1146 MMBtu/hr when firing natural gas (the primary fuel) and 1291 MMBtu/hr when firing No. 2 fuel oil (back-up fuel). The control equipment includes the Dry Low NO<sub>x</sub> Combustor within the turbine in combination with water injection to reduce oxides of nitrogen (NO<sub>x</sub>) emissions. Continuous Emission Monitoring Systems (CEMS) are in place to monitor the NO<sub>x</sub> and CO, and wet and dry O<sub>2</sub> emissions from the turbine. This Renewal includes the removal of the facility's legacy Continuous Opacity Monitor (COM). The facility will be required to conduct an annual Method 9 test to verify compliance with opacity standards. The renewal does not authorize an increase in emissions. The facility is subject to federal regulation 40CFR52



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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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**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 1 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365

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

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NEW YORK POWER AUTHORITY  
123 MAIN ST  
WHITE PLAINS, NY 10601

Facility: RICHARD M FLYNN POWER PLANT  
607 UNION AVE  
HOLTSVILLE, NY 11742

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

Permit Effective Date:

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- 9 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 10 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 12 6 6 NYCRR 201-6.4 (e): Compliance Certification
- 14 7 6 NYCRR 202-2.5: Recordkeeping requirements
- 14 8 6 NYCRR 215.2: Open Fires - Prohibitions
- 15 9 6 NYCRR 200.7: Maintenance of Equipment
- 15 10 6 NYCRR 201-1.7: Recycling and Salvage
- 16 11 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 16 12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 16 13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 16 14 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 17 15 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 17 16 6 NYCRR 202-1.1: Required Emissions Tests
- 17 17 40 CFR Part 68: Accidental release provisions.
- 18 18 40CFR 82, Subpart F: Recycling and Emissions Reduction
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- 19 22 6 NYCRR 202-2.4 (a) (3): Statement dates for emissions statements.
- 20 23 6 NYCRR 211.2: Visible Emissions Limited
- 20 24 6 NYCRR 225-1.2 (d): Compliance Certification
- 20 25 40CFR 52.21, Subpart A: Compliance Certification
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- 23 29 40CFR 52.21, Subpart A: Compliance Certification
- 23 30 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 24 31 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 24 32 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 24 33 40CFR 60.13(a), NSPS Subpart A: Continuous Monitoring Requirements
- 24 34 40CFR 60.334(b), NSPS Subpart GG: CEMS
- 25 35 40CFR 60.334(b), NSPS Subpart GG: Compliance Certification
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- 26 37 40CFR 97.406, Subpart AAAAA: Compliance Certification
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- 29 41 6 NYCRR 227-1.4 (a): Compliance Certification
- 30 42 40CFR 52.21, Subpart A: Compliance Certification
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- 31 44 40CFR 52.21, Subpart A: Compliance Certification
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- 33 47 40CFR 52.21, Subpart A: Compliance Certification
- 33 48 40CFR 52.21, Subpart A: Compliance Certification
- 34 49 40CFR 52.21, Subpart A: Compliance Certification
- 35 50 40CFR 52.21, Subpart A: Compliance Certification
- 35 51 40CFR 52.21, Subpart A: Compliance Certification
- 36 52 40CFR 52.21, Subpart A: Compliance Certification
- 37 53 40CFR 52.21, Subpart A: Compliance Certification
- 37 54 40CFR 52.21, Subpart A: Compliance Certification
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- 39 56 40CFR 52.21, Subpart A: Compliance Certification
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- 43 62 40CFR 52.21, Subpart A: Compliance Certification
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- 44 64 40CFR 52.21, Subpart A: Compliance Certification

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- 46 65 ECL 19-0301: Contaminant List
- 47 66 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 47 67 6 NYCRR 211.1: Air pollution prohibited
- 48 68 6 NYCRR 242-1.4 (b): Compliance Demonstration
- 50 69 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
- 50 70 6 NYCRR 242-1.5: Compliance Demonstration
- 51 71 6 NYCRR 242-1.5: Compliance Demonstration
- 52 72 6 NYCRR Subpart 242-4: Compliance Demonstration
- 54 73 6 NYCRR Subpart 242-8: Compliance Demonstration
- 56 74 6 NYCRR 242-8.5: Compliance Demonstration
- 57 75 6 NYCRR 253-1.4: Compliance Demonstration
- 58 76 6 NYCRR 253-1.7: Compliance Demonstration

**Emission Unit Level**

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- 60 77 6 NYCRR 251.3 (b): Compliance Demonstration

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 4/DRAFT

\*\*\*\* 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 for entire length of Permit****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 for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective for entire length of Permit**

**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;
  - 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;

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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 1 Headquarters  
 Stony Brook University  
 50 Circle Road  
 Stony Brook, NY 11790-3409

The address for the BQA is as follows:

NYSDEC  
 Bureau of Quality Assurance

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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 1/30/2027.  
Subsequent reports are due on the same day each year

**Condition 7: Recordkeeping requirements  
Effective for entire length of Permit**

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

**Item 7.1:**

(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 8: Open Fires - Prohibitions  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 8.1:**

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 8.2**

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.



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

**Item 10.1:**

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 11: Prohibition of Reintroduction of Collected Contaminants to the air  
Effective for entire length of Permit**

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

**Item 11.1:**

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 12: Exempt Sources - Proof of Eligibility  
Effective for entire length of Permit**

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

**Item 12.1:**

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

**Condition 13: Trivial Sources - Proof of Eligibility  
Effective for entire length of Permit**

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

**Item 13.1:**

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 14: Requirement to Provide Information  
Effective for entire length of Permit**

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

**Item 14.1:**

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

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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 15: Right to Inspect**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 15.1:**

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

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 16: Required Emissions Tests**  
**Effective for entire length of Permit**

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

**Item 16.1:**

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 17: Accidental release provisions.**  
**Effective for entire length of Permit**

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

**Item 17.1:**

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:

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- 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 18: Recycling and Emissions Reduction  
Effective for entire length of Permit**

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

**Item 18.1:**

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

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

**Condition 19: Emission Unit Definition  
Effective for entire length of Permit**

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

**Item 19.1:**

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

Emission Unit: U-00001

Emission Unit Description:

Emission Unit U00001 represents a Siemens V84.2 combustion turbine rated at 1,146 mmBTU/hr when firing natural gas (the primary fuel) and 1,291 mmBTU/hr when firing number 2 fuel oil, which is the backup fuel. The combined cycle facility generates 150 MW of power.

Building(s): BUILDINGA

**Condition 20: Progress Reports Due Semiannually  
Effective for entire length of Permit**

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

**Item 20.1:**

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 21: Operational Flexibility  
Effective for entire length of Permit**

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

**Item 21.1:**

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 22: Statement dates for emissions statements.  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-2.4 (a) (3)**

**Item 22.1:**

This facility is required to submit an annual emission statement electronically and these emissions statements must be submitted to the department as per the following schedule:

- (i) March 15th of each year for facilities with three or fewer processes listed in their Title V permit:
- (ii) March 31st of each year for facilities with four to six processes listed in their Title V permit:
- (iii) April 15th of each year for facilities with 7 to 12 processes listed in their Title V permit:
- (iv) April 30th of each year for facilities with 13 or more processes listed in their Title V permit.

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**Condition 23: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 23.1:**

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 24: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 25: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

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**Item 25.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Power Authority must continuously monitor oil and gas fuel flow rates. Fuel flow rates shall be used to determine the mass emission rates corresponding to the CEM measured data. This change to the fuel flow is due to the 40 CFR 75 Appendix D monitoring.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 26: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 26.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A summary of the emission limits and operating restrictions of this Permit must be posted in the control room of the facility and must be plainly visible (without obstruction) to the operator of the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 27: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 27.2:**

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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- Facility shall submit a quarterly written CEM report to NYSDEC for every calendar year quarter. All quarterly reports shall be post marked by the 30th day following the end of each calendar quarter and shall include:
1. CEMs down time (40CFR 60.7(b)) and excess emissions (40CFR 60.7 (c)) in a summary format, as found in 40 CFR 60.7(d) or equivalent.
  2. The results of the quarterly monitoring performance audit, reported in the format of 40CFR 75 Appendix D and G(or equivalent).
  3. Excess emissions shall be identified as any one-hour block period during which the average emissions of NO<sub>x</sub> or CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits set forth in this Permit.
  4. For the purposes of this Permit, excess emissions indicated by the CEM system for one hour block periods other than startups, shutdowns, or fuel switching may be considered violations of the applicable emission limits.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 28: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Power Authority shall maintain a file of all measurements, including CEM system performance evaluations; all CEM systems or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 to be maintained by permittees, recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurement, maintenance, reports and records.

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 29: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Power Authority must continuously measure and record ambient air temperature at the facility. Such measurement must be accurate within +/- 1 degree F.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 30: EPA Region 2 address.**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 30.1:**

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 31: Recordkeeping requirements.  
Effective for entire length of Permit**

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

**Item 31.1:**

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 32: Facility files for subject sources.  
Effective for entire length of Permit**

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

**Item 32.1:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 33: Continuous Monitoring Requirements  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.13(a), NSPS Subpart A**

**Item 33.1: For the purposes of this section, 40 CFR Part 60.13, all continuous monitoring systems required under applicable subparts of 40 CFR Part 60 shall be subject to the provisions of this section, upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part, 40 CFR Part 60, and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator.**

**Condition 34: CEMS  
Effective for entire length of Permit**

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

**Item 34.1:**

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

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averages to equivalent O<sub>2</sub> concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O<sub>2</sub>, or by using the CO<sub>2</sub> 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 35: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**While Natural Gas Burning**

The USEPA has granted a waiver from monitoring the fuel nitrogen content in the natural gas in a letter dated December 6, 1994. Analytical methods and procedures for analyzing fuel sulfur content shall be chosen in accordance with 40 CFR 60.335. Follow the sulfur monitoring procedures as described in the December 4, 1994 letter from USEPA.

**While Fuel Oil Burning**

The Power Authority shall monitor the sulfur content in the fuel oil for each delivery. The sulfur content shall not exceed 0.0015 percent by weight in the fuel oil. Nitrogen content shall be monitored each time the fuel is transferred to the storage tank from any other source.

Reference Test Method: ASTM

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 36: Facility Subject to Title IV Acid Rain Regulations and Permitting**  
**Effective for entire length of Permit**

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

**Item 36.1: This facility is subject to the Title IV Acid Rain Program regulations found in 40 CFR Parts 72, 73, 75, 76, 77, and 78. In accordance with those requirements, a separate Title IV Acid Rain permit has been issued to the facility. The facility owner or operator shall**

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maintain a copy of the Title IV Acid Rain permit together with this Title V permit in the facility's files.

**Condition 37: Compliance Certification  
Effective for entire length of Permit**

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

**Item 37.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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(3) The emissions data determined shall be used to calculate allocations of TR NOx Annual allowances and to determine compliance with the TR NOx Annual emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NOx Annual facility and each TR NOx Annual Unit at the facility shall hold, in the facilities compliance account, TR NOx Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NOx emissions for such control period from all TR NOx Annual Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 38: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 97.606, Subpart CCCCC**

**Item 38.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.613 through 97.618 of Subpart CCCCC. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.

(2) The facility, and the designated representative, of each TR SO2 Group 1 source (facility) and each TR SO2 Group 1 Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.630 through 97.635 of Subpart CCCCC and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems;

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requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.

(3) The emissions data determined shall be used to calculate allocations of TR SO2 Group 1 allowances and to determine compliance with the TR SO2 Group 1 emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO2 Group 1 facility and each TR SO2 Group 1 Unit at the facility shall hold, in the facilities compliance account, TR SO2 Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO2 emissions for such control period from all TR SO2 Group 1 Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 39: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 39.1:**

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

Emission Unit: U-00001

Emission Point: EP001

Height (ft.): 120

Diameter (in.): 210

NYTMN (km.): 4520.074

NYTME (km.): 663.256

Building: BUILDINGA

**Condition 40: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 40.1:**

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

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Emission Unit: U-00001  
Process: P01 Source Classification Code: 2-01-002-01

Process Description:

Emission Unit U00001 is composed of a Siemens/KWU V84.2 dual fired turbine. Process P01 for Emission Unit U00001 represents Natural Gas firing in turbine.

Emission Source/Control: E0001 - Combustion  
Design Capacity: 1,146 million Btu per hour

Emission Source/Control: C0001 - Control  
Control Type: DRY LOW NOx BURNER

Emission Source/Control: E0003 - Process  
Design Capacity: 1,192 million Btu per hour

**Item 40.2:**

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

Emission Unit: U-00001  
Process: P02 Source Classification Code: 2-01-001-01

Process Description:

Emission Unit U00001 is composed of a Siemens/KWU V84.2 dual fired turbine. Process P02 for Emission Unit U00001 represents number 2 fuel oil firing in turbine.

Emission Source/Control: E0002 - Combustion  
Design Capacity: 1,291 million Btu per hour

Emission Source/Control: C0002 - Control  
Control Type: STEAM OR WATER INJECTION

**Condition 41: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 41.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 41.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation at a Title V facility subject to this Subpart shall operate an emission source which exhibits greater

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

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: 40 CFR 60, Appendix A, Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 42: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 42.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

8.5 PPM (DRY, CORRECTED TO 15% O<sub>2</sub>) CO  
EMISSION LIMIT DURING NATURAL GAS OR FUEL  
OIL FIRING BASED UPON HIGH HEATING VALUE  
(HHV) OF FUEL.

Manufacturer Name/Model Number: CO ANALYZER

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 8.5 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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**Condition 43: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 43.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE GAS TURBINE MAY NOT OPERATE BELOW  
50% LOAD (51.20 MW GAS FIRING 51 DEG F),  
EXCEPT DURING STARTUP, SHUTDOWN, & FUEL  
TRANSFERS.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 44: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 44.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE GAS TURBINE SHALL FIRE ONLY NATURAL  
GAS AND DISTILLATE NO. 2 FUEL OIL  
(DIESEL).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 45: Compliance Certification**  
**Effective for entire length of Permit**

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 45.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

ALTERNATE FUEL USAGE (DISTILLATE NO. 2 FUEL OIL) IN THE GAS TURBINE IS LIMITED TO 1,440 HOURS/YR, CALCULATED WITHIN ANY CONSECUTIVE 365 DAY PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 1,440 hours

Reference Test Method: NA

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 46: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 46.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

TOTAL ANNUAL FUEL OIL USE SHALL NOT EXCEED 14.1 MILLION GALLONS PER YEAR WITHIN ANY CONSECUTIVE 365 DAY PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 14100 thousand gallons per year

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Facility DEC ID: 1472200926

Reference Test Method: NA  
Monitoring Frequency: DAILY  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 12 calendar month(s).

**Condition 47: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 47.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: P01

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

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

9 PPM (BY VOLUME, DRY, CORRECTED TO 15% O<sub>2</sub>) NOX EMISSION LIMIT DURING NATURAL GAS FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL.

Manufacturer Name/Model Number: NOX ANALYZER

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 9 parts per million by volume (dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 48: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: P01

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

9.6 LB/HR VOC EMISSION LIMIT DURING  
NATURAL GAS FIRING BASED UPON HIGH  
HEATING VALUE (HHV) OF FUEL. PERFORMANCE  
TEST SHALL BE CONDUCTED TO VERIFY  
COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE  
YEARS AND AT THE REQUEST OF THE  
DEPARTMENT OR USEPA.

Parameter Monitored: VOC

Upper Permit Limit: 9.6 pounds per hour

Reference Test Method: METHOD 25A

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 49: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 49.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

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

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

46 LB/HR NOX EMISSION LIMIT DURING  
NATURAL GAS FIRING BASED UPON HIGH  
HEATING VALUE (HHV) OF FUEL.

Manufacturer Name/Model Number: NOX ANALYZER

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 46 pounds per hour

Reference Test Method: Method 7E

Monitoring Frequency: CONTINUOUS

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 50: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: P01

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

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.30 LB/HR PARTICULATE MATTER EMISSION  
LIMIT DURING NATURAL GAS FIRING BASED  
UPON HIGH HEATING VALUE (HHV) OF FUEL.  
PERFORMANCE TEST SHALL BE CONDUCTED TO  
VERIFY COMPLIANCE WITH THE LIMIT ONCE  
EVERY FIVE YEARS AND AT THE REQUEST OF  
THE DEPARTMENT OR USEPA.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 1.30 pounds per hour

Reference Test Method: METHOD 5

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 51: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: P01

Regulated Contaminant(s):

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

CAS No: 0NY998-00-0    VOC

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.008 LB/MMBTU VOC EMISSION LIMIT DURING  
NATURAL GAS FIRING BASED UPON HIGH  
HEATING VALUE (HHV) OF FUEL. PERFORMANCE  
TEST SHALL BE CONDUCTED TO VERIFY  
COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE  
YEARS AT THE REQUEST OF THE DEPARTMENT OR  
USEPA.

Parameter Monitored: VOC

Upper Permit Limit: 0.008 pounds per million Btus

Reference Test Method: Method 25A

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 52:    Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 52.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 000630-08-0    CARBON MONOXIDE

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

23.8 lb/hr CO emission limit during firing natural gas  
based upon High Heating Value (HHV) of fuel.

Manufacturer Name/Model Number: CO ANALYZER

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 23.8 pounds per hour

Reference Test Method: Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

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

**Condition 53: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0011 LB/MMBTU PM-10 EMISSION LIMIT  
DURING NATURAL GAS FIRING BASED UPON HIGH  
HEATING VALUE (HHV) OF FUEL.  
PERFORMANCE TEST SHALL BE CONDUCTED TO  
VERIFY COMPLIANCE WITH THE LIMIT ONCE  
EVERY FIVE YEARS AND AT THE REQUEST OF  
THE DEPARTMENT OR USEPA.

Parameter Monitored: PM-10

Upper Permit Limit: 0.0011 pounds per million Btus

Reference Test Method: Method 201A

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 54: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 54.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 54.2:**

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0011 LB/MMBTU PARTICULATE MATTER  
EMISSION LIMIT DURING NATURAL GAS FIRING  
BASED UPON HIGH HEATING VALUE (HHV) OF  
FUEL. PERFORMANCE TEST SHALL BE  
CONDUCTED TO VERIFY COMPLIANCE ONCE EVERY  
FIVE YEARS AND AT THE REQUEST OF THE  
DEPARTMENT OR USEPA.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.0011 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 55: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.30 LB/HR PM-10 EMISSION LIMIT DURING  
NATURAL GAS FIRING BASED UPON HIGH  
HEATING VALUE (HHV) OF FUEL. PERFORMANCE  
TEST SHALL BE CONDUCTED TO VERIFY  
COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE  
YEARS AND AT THE REQUEST OF THE  
DEPARTMENT OR USEPA.

Parameter Monitored: PM-10

Upper Permit Limit: 1.30 pounds per hour

Reference Test Method: Method 201A

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 56: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 56.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

5.0 LB/HR PM10 EMISSION LIMIT DURING  
FUEL OIL FIRING BASED UPON HIGH HEATING  
VALUE (HHV) OF FUEL. PERFORMANCE TEST  
SHALL BE CONDUCTED TO VERIFY COMPLIANCE  
WITH THE LIMIT ONCE EVERY FIVE YEARS AND  
AT THE REQUEST OF THE DEPARTMENT OR  
USEPA.

Parameter Monitored: PM-10

Upper Permit Limit: 5.0 pounds per hour

Reference Test Method: Method 201A

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 57: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 57.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.71 LB/HR PM EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL. PERFORMANCE TEST SHALL BE CONDUCTED TO VERIFY COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE YEARS AND AT THE REQUEST OF THE DEPARTMENT OR USEPA.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 1.71 pounds per hour

Reference Test Method: METHOD 5

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 58: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

9.71 LB/HR VOC EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL. PERFORMANCE TEST SHALL BE CONDUCTED TO VERIFY COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE YEARS AND AT THE REQUEST OF THE DEPARTMENT OR USEPA.

Parameter Monitored: VOC

Upper Permit Limit: 9.71 pounds per hour

Reference Test Method: METHOD 25A

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 59: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: P02

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

**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

42 PPM (BY VOLUME, DRY, CORRECTED TO 15%  
O<sub>2</sub>) NOX EMISSION LIMIT DURING FUEL OIL  
FIRING BASED UPON HIGH HEATING VALUE  
(HHV) OF FUEL.

Manufacturer Name/Model Number: NOX ANALYZER

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 42 parts per million by volume (dry,  
corrected to 15% O<sub>2</sub>)

Reference Test Method: Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 60: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 60.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: P02

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 60.2:**

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.007 LB/MMBTU VOC EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL. PERFORMANCE TEST SHALL BE CONDUCTED TO VERIFY COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE YEARS AND AT THE REQUEST OF THE DEPARTMENT OR USEPA.

Parameter Monitored: VOC

Upper Permit Limit: 0.007 pounds per million Btus

Reference Test Method: Method 25A

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 61: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

27 LB/HR CO EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL.

Manufacturer Name/Model Number: CO ANALYZER

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 27 pounds per hour

Reference Test Method: METHOD 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

**Condition 62: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0039 LB/MMBTU PM10 EMISSION LIMIT  
DURING FUEL OIL FIRING BASED UPON HIGH  
HEATING VALUE (HHV) OF FUEL. PERFORMANCE  
TEST SHALL BE CONDUCTED TO VERIFY  
COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE  
YEARS AND AT THE REQUEST OF THE  
DEPARTMENT OR USEPA.

Parameter Monitored: PM-10

Upper Permit Limit: 0.0039 pounds per million Btus

Reference Test Method: Method 201A

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 63: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0013 LB/MMBTU PM EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL. PERFORMANCE TEST SHALL BE CONDUCTED TO VERIFY COMPLIANCE WITH THE LIMIT ONCE EVERY FIVE YEARS AND AT THE REQUEST OF THE DEPARTMENT OR USEPA.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.0013 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 64: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21, Subpart A**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

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

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

225 LB/HR NOX EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL.

Manufacturer Name/Model Number: NOX ANALYZER

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 225 pounds per hour

Reference Test Method: METHOD 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 3 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 65: Contaminant List  
Effective for entire length of Permit**

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

**Item 65.1:**

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: 007446-09-5  
Name: SULFUR DIOXIDE

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

CAS No: 0NY075-00-5  
Name: PM-10

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

CAS No: 0NY998-00-0

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Name: VOC

**Condition 66: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 201-1.4****Item 66.1:**

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

(b) The facility owner or operator shall compile and maintain records of all equipment 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 67: Air pollution prohibited  
Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 211.1**

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**Item 67.1:**

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 68: Compliance Demonstration  
Effective for entire length of Permit****Applicable State Requirement: 6 NYCRR 242-1.4 (b)****Item 68.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 68.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) Applicability. Notwithstanding Subdivision (a) of this Section, any unit that, on or before December 1, 2008, applies for an enforceable permit condition restricting the supply of the unit's annual electrical output to the electric grid to less than or equal to 10 percent of the annual gross generation of the unit, and that from and after January 1, 2009 complies with the 10 percent restriction and the provisions in Paragraph (b)(3) of this Section, shall be exempt from the requirements of this Part, except for the provisions of this Section, Sections 242-1.2, 242-1.3, and 242-1.6 of this Part.
- (2) Effective date. The exemption under Paragraph (b)(1) of this Section shall become effective as of January 1, 2009 and remain in effect unless and until the unit loses its exemption under Subparagraph (b)(3)(v) of this Section.
- (3) Compliance.
  - (i) A unit exempt under Paragraph (b)(1) of this Section shall comply with the restriction on percentage of annual gross generation that may be supplied to the electric grid described in Paragraph (b)(1) of this Section.
  - (ii) A unit exempt under Paragraph (b)(1) of this Section shall report to the department the amount of annual gross

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generation and the amount of annual gross generation supplied to the electric grid during the year by the following February 1st.

(iii) For a period of 10 years from the date the records are created, the owners and operators of a unit exempt under Paragraph (b)(1) of this Section shall retain, at the source that includes the unit, records demonstrating that the conditions of the permit under Paragraph (b)(1) of this Section were met. The 10-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the department. The owners and operators bear the burden of proof that the unit met the restriction on the percentage of annual gross generation that may be supplied to the electric grid.

(iv) The owners and operators and, to the extent applicable, the CO<sub>2</sub> authorized account representative of a unit exempt under Paragraph (b)(1) of this Section shall comply with all the requirements of this Part concerning all time periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.

(v) On the earlier of the following dates, a unit exempt under Paragraph (b)(1) of this Section shall lose its exemption:

(a) the date on which the restriction on the percentage of annual gross generation that may be supplied to the electric grid described in Paragraph (b)(1) of this Section is removed from the unit's permit or otherwise becomes no longer applicable in any year that commences on or after January 1, 2009; or

(b) the first date on which the unit fails to comply, or on which the owners and operators fail to meet their burden of proving that the unit is complying, with the restriction on the percentage of annual gross generation that may be supplied to the electric grid described in Paragraph (b)(1) of this Section during any year that commences on or after January 1, 2009.

(vi) A unit that loses its exemption in accordance with Subparagraph (b)(3)(v) of this Section shall be subject to the requirements of this Part. For the purpose of applying permitting requirements under Subpart 242-3 of this Part, allocating allowances under Subpart 242-5 of this Part, and applying monitoring requirements under Subpart 242-8 of this Part, the unit shall be treated as commencing operation on the date the unit loses its exemption.

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(4) Reduction in CO2 Budget Trading Program base budget. In the event that a unit applies for and receives a permit condition that renders the unit exempt under Subdivision (b) of this Section, then the department shall reduce the CO2 Budget Trading Program base budget to remove the number of tons equal to the unit's average annual emissions from the previous three calendar years.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 69: CO2 Budget Trading Program - Excess emission requirements Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 242-1.5**

**Item 69.1:**

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 70: Compliance Demonstration Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 242-1.5**

**Item 70.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 70.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- (1) The owners and operators of each CO2 budget source and each CO2 budget unit at the source shall hold CO2 allowances available for compliance deductions under Section 242-6.5, as of the CO2 allowance transfer deadline, in the source's compliance account in an amount

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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.

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

**Condition 71: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 242-1.5**

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**Item 71.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 71.2:**

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.

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

**Condition 72: Compliance Demonstration  
Effective for entire length of Permit**

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**Applicable State Requirement:6 NYCRR Subpart 242-4**

**Item 72.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

**Item 72.2:**

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

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- (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 73: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR Subpart 242-8**

**Item 73.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 73.2:**

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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 CO<sub>2</sub> 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 CO<sub>2</sub> budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO<sub>2</sub> authorized account representative shall submit an application to the department within 45 days after completing all CO<sub>2</sub> 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 CO<sub>2</sub> authorized account representative shall submit quarterly reports, as follows:

(1) The CO<sub>2</sub> authorized account representative shall report the CO<sub>2</sub> mass emissions data and heat input data for the CO<sub>2</sub> budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO<sub>2</sub> 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 CO<sub>2</sub> 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<sub>x</sub>, and SO<sub>2</sub> provisions.

(3) The CO<sub>2</sub> 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

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Subpart and 40 CFR part 75, including the quality assurance procedures and specifications;  
 (ii) for a unit with add-on CO<sub>2</sub> 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 CO<sub>2</sub> emissions; and  
 (iii) the CO<sub>2</sub> concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO<sub>2</sub> emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 74: Compliance Demonstration  
 Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 242-8.5**

**Item 74.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

**Item 74.2:**

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 CO<sub>2</sub> 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 CO<sub>2</sub> budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO<sub>2</sub> authorized account representative shall submit an application to the department within 45 days after completing all CO<sub>2</sub> monitoring system initial certification or recertification

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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 CO<sub>2</sub> authorized account representative shall submit quarterly reports, as follows:

(1) The CO<sub>2</sub> authorized account representative shall report the CO<sub>2</sub> mass emissions data and heat input data for the CO<sub>2</sub> budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO<sub>2</sub> 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 CO<sub>2</sub> 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<sub>x</sub>, and SO<sub>2</sub> provisions.

(3) The CO<sub>2</sub> 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 CO<sub>2</sub> 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 CO<sub>2</sub> emissions; and

(iii) the CO<sub>2</sub> concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO<sub>2</sub> emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 75: Compliance Demonstration**  
**Effective for entire length of Permit**

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**Applicable State Requirement:6 NYCRR 253-1.4**

**Item 75.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 75.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of facilities that contain emission sources specified in Section 253-1.2 of this Part must monitor emissions and submit emissions data reports to the Department, except as otherwise provided in Part 253, following the requirements specified in 40 CFR Sections 98.3 through 98.4 (Amended November 18, 2024) (see Table 1, section 200.9 of this Title).

Owners or operators shall submit emissions data reports and any revisions to the reports through the NYS e-GGRT platform, or any other reporting tool approved by the Department that will guarantee transmittal and receipt of data and information required by Part 253. Each owner or operator must submit an emissions data report for the previous calendar year no later than June 1st of the current calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 76: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 253-1.7**

**Item 76.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 76.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each large emission source that is required to report greenhouse gases under this Part, which emits 25,000 metric tons or greater of CO<sub>2</sub>e, must keep records as required by 40 CFR Sections 98.3(g) through (h) (Amended November 18, 2024) (see Table 1, section 200.9 of this Title) and as specified in this Subpart or as prescribed in the relevant Section(s) of

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Subpart 253-2 of this Part.

The following sources must maintain records on-site or at an alternative location approved by the Department for a period of ten years from the date of emissions data report certification:

- (1) Large emission sources as specified in paragraph 253-1.2(f) of this Part, and
- (2) Any emission source that is required under Subpart 253-4 of this Part to verify its emissions.

Copies of any records or other materials maintained under the requirements of 40 CFR Part 98 (Amended November 18, 2024) (see Table 1, section 200.9 of this Title) or this Part must be made available to the Department upon request within 14 days of receipt of such request by the designated representative of the reporting entity, unless a different schedule is agreed to by the Department.

Emission sources must maintain the following records, including but not limited to:

- (1) Information used to quantify or report emissions and product data in the emissions data report, underlying monitoring and metering data, invoices of receipts or deliveries, sales transaction data, calculation methods, protocols used, analysis results, calibration records, electricity transaction data, and other relevant information.
- (2) A list of units, operations, processes, and activities for which GHG emissions were calculated.
- (3) The data used to calculate the GHG emissions for each unit, operation, process and activity categorized by fuel or material type. These data include but are not limited to:
  - (i) the GHG emissions calculations and methods used;
  - (ii) analytical results for the development of site-specific emission factors;
  - (iii) the results of all required analyses for high heat value, carbon content, and other required fuel or feed stock parameters;
  - (iv) emissions data and input data, industrial product data and associated inputs; data associated with thermal energy provided, sold, purchased, or acquired; and data associated with electricity provided, sold, purchased, or acquired must be sufficient to allow for verification of each emissions data report; and
  - (v) any facility operating data or process information used for the GHG calculations.

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- (4) The annual GHG emissions data reports.
- (5) Missing data computations for each missing data event, the cause of each event and the corrective actions taken to restore malfunctioning monitoring equipment.
- (6) Continuous monitoring system records. The results of all required certification and quality assurance tests for continuous monitoring systems, fuel flow meters, and other instrumentation used to provide data for the GHG emissions reported under this Part.
- (7) Qualified positive verification or positive verification statements.
- (8) Department approved monitoring plan as per the requirements of subdivision 253-1.7(e).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 77: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 251.3 (b)**

**Item 77.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

**Item 77.2:**

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 CO<sub>2</sub> per million Btu of input (input-based limit). These emission limits are measured on an annual basis, calculated by dividing the annual total of CO<sub>2</sub> 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

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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

Reference Test Method: PART 75 APPENDIX G

Monitoring Frequency: CONTINUOUS

Averaging Method: CALENDAR YEAR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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