

Facility DEC ID: 2600700726

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 2-6007-00726/00002
Effective Date: Expiration Date:

Permit Type: Air Title V Facility
Permit ID: 2-6007-00726/00003
Effective Date: Expiration Date:

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

Contact: PATRICIA MEEHAN
NEW YORK POWER AUTHORITY
123 MAIN ST
WHITE PLAINS, NY 10601
(914) 287-3407

Facility: HARLEM RIVER YARDS PLANT
E 132ND ST & ROBERT F KENNEDY BRIDGE APPR|APPR 688 EAST
132ND STREET
BRONX, NY 10454

Contact: PATRICIA MEEHAN
NEW YORK POWER AUTHORITY
123 MAIN ST
WHITE PLAINS, NY 10601
(914) 287-3407

Description:
This is a straight renewal application for the existing electric generating facility which consists of two natural gas fired simple cycle combustion turbines (GE LM6000) rated 420 mmbtu/hr each equipped with selective catalytic reduction to control emissions of oxides of nitrogen and catalytic oxidation to control emissions of carbon monoxide. The other equipment on-site includes gas and air compressors, cooling tower lube oil cooling system, water treatment and storage system, ammonia storage and injection system, raw water storage, and auxiliary electrical systems. Each turbine has its own stack with 107 feet in height and 144 inches in diameter. The facility wide emissions of oxides of nitrogen are limited to 22.5 tpy and the facility's power output is limited to 79.9 megawatts. The facility also has two Heater boilers (gas burning), one 60 bhp diesel fire pump, one 746 bhp diesel back-up generator and one 1474 HP Caterpillar (1000KWe) emergency diesel generator which will supply power to start the Harlem River Yards Plant turbine generators in the event of a blackout.

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

Permit Administrator: STEPHEN A WATTS
 47-40 21ST ST
 LONG ISLAND CITY, NY 11101-5401

Authorized Signature: _____ Date: ___ / ___ / _____

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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DEC SPECIAL CONDITIONS

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DEC GENERAL CONDITIONS

****** General Provisions ******

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

Item 4.1:

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

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

****** Facility Level ******

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

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407

(718) 48

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DEC SPECIAL CONDITIONS

2-4997

Condition 6: Facility Output Limitation

Applicable State Requirement: 6 NYCRR 621.13

Item 6.1:

Failure to operate the approved facility in accordance with the application's commitments to monitor electrical output and to operate at a net output of no more than 79.9 megawatts is grounds for modification, suspension, or revocation of this permit. Operation above 79.9 megawatts is a violation of this permit.

The Permittee shall maintain records, at the facility, for a minimum of five years. All reports shall be submitted to both the NYSDEC Regional Air office and to the Department Public Service.

Monitored Parameter:

Code: 41

Name: Electrical Output

Upper Limit: 79.9 megawatts

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: MONTHLY (CALENDAR YEAR)

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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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123 MAIN ST
WHITE PLAINS, NY 10601

Facility: HARLEM RIVER YARDS PLANT
E 132ND ST & ROBERT F KENNEDY BRIDGE APPR|APPR 688 EAST
132ND STREET
BRONX, NY 10454

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

Permit Effective Date:

Permit Expiration Date:

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EU=1-00001

- 32 44 6 NYCRR Subpart 201-6: Compliance Certification
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- 40 55 6 NYCRR Subpart 201-6: Compliance Certification
- 41 56 6 NYCRR Subpart 201-6: Compliance Certification
- 42 57 6 NYCRR Subpart 201-6: Compliance Certification
- 43 58 40CFR 60.334(a), NSPS Subpart GG: Compliance Certification

EU=1-00001

43 59 40CFR 60.334(h)(4), NSPS Subpart GG: Custom fuel monitoring schedule

STATE ONLY ENFORCEABLE CONDITIONS

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- 45 60 ECL 19-0301: Contaminant List
- 45 61 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 46 62 6 NYCRR 211.1: Air pollution prohibited
- 47 63 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
- 47 64 6 NYCRR 242-1.5: Compliance Demonstration
- 48 65 6 NYCRR 242-1.5: Compliance Demonstration

Emission Unit Level

EU=1-00001,Proc=001,ES=00001

49 66 6 NYCRR 251.3 (b): Compliance Demonstration

EU=1-00001,Proc=001,ES=00003

50 67 6 NYCRR 251.3 (b): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 3/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 reissuance, or termination, or of a notification of

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

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

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

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

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

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

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

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

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

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Item K: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item L: Federally Enforceable Requirements - 40 CFR 70.6 (b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective 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 contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

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Condition 2: Fees
Effective 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 reports required by the permit.

Condition 5: Compliance Certification
Effective for entire length of Permit

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Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

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 record keeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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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
 Hunters Point Plaza
 47-40 21st Street
 Long Island City, NY 11101-5407

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.

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The initial report is due 1/30/2024.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 0 days after the reporting period.

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

Condition 8: Recordkeeping requirements
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

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

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

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

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

Condition 9: Open Fires - Prohibitions
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

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

Item 9.2

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

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- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

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

**Condition 10: Maintenance of Equipment
Effective for entire length of Permit**

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Applicable Federal Requirement:6 NYCRR 200.7**Item 10.1:**

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

**Condition 11: Recycling and Salvage
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-1.7****Item 11.1:**

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

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to
the air
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-1.8****Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-3.2 (a)****Item 13.1:**

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

**Condition 14: Trivial Sources - Proof of Eligibility
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-3.3 (a)****Item 14.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all

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required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 15: Requirement to Provide Information
Effective for entire length of Permit**

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

Item 15.1:

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

**Condition 16: Right to Inspect
Effective for entire length of Permit**

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

Item 16.1:

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

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

**Condition 17: Required Emissions Tests
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 17.1:

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

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**Condition 18: Accidental release provisions.
Effective for entire length of Permit**

Applicable Federal Requirement:40 CFR Part 68

Item 18.1:

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

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

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

**Condition 19: Recycling and Emissions Reduction
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 82, Subpart F

Item 19.1:

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

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

**Condition 20: Emission Unit Definition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 20.1:

The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 1-00001

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Emission Unit Description:

This emission unit consists of the following:

- 1) Two natural gas fired simple cycle combustion turbines (with SCR and catalytic oxidation as controls) which shall be operated in the simple cycle,
- 2) Two Heatec boilers (gas burning) used to heat gas turbine combustion inlet air when ambient temperature and humidity could cause icing at the turbine inlet,
- 3) One 60 bhp diesel fire pump, and
- 4) One 746 bhp diesel back-up generator: Emission source 00010
- 5) One 1474 HP Caterpillar(1000KWe) emergency diesel generator(EDG) Model Year 2015, (emission source 00011),which will supply power to start the Harlem River Yards Plant turbine generator in the event of blackout.

Building(s): B1
 B2
 BSEDG

**Condition 21: Progress Reports Due Semiannually
 Effective for entire length of Permit**

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

Item 21.1:

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

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 22: Operational Flexibility
 Effective for entire length of Permit**

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

Item 22.1:

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

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**Condition 23: Facility Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 23.1:

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

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

CAS No: 0NY210-00-0	PTE: 45,000 pounds per year
Name: OXIDES OF NITROGEN	

**Condition 24: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 24.1:

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

6 NYCRR Subpart 231-2

Item 24.2:

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

Item 24.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 24.4:

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

Item 24.5:

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

Item 24.6:

The Compliance Certification activity will be performed for the facility:

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The Compliance Certification applies to:

Emission Unit: 1-00001 Process: 001	Emission Source: 00001
Emission Unit: 1-00001 Process: 001	Emission Source: 00003
Emission Unit: 1-00001 Process: 002	Emission Source: 00007
Emission Unit: 1-00001 Process: 002	Emission Source: 00008
Emission Unit: 1-00001 Process: 003	Emission Source: 00009
Emission Unit: 1-00001 Process: 004	Emission Source: 00010
Emission Unit: 1-00001 Process: 005	Emission Source: 00011
Regulated Contaminant(s): CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 24.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall calculate the tons per year of oxides of nitrogen emissions based on a twelve month rolling average using the following equation:

$$\frac{(GTACT + (0.0364 \text{ lbs/mmBtu})(BATHI) + (10.23 \text{ lbs/hr})(BETAHO) + (0.80 \text{ lbs/hr})(FPTAHO) + 15.5 \text{ lb/hr}(BSETAHO))}{2000 \text{ lbs/ton}} \leq 22.5 \text{ tpy}$$

where:

GTACT = two gas turbines actual NOx emissions in pounds/yr (12 month rolling total) from the CEM reports,

BATHI = 12 month rolling total of two heatec boilers heat input in mmBtu/yr,

BETAHO = 12 month rolling total of 746-hp back-up engine hours of operation in hr/yr,

FPTAHO = 12 month rolling total of fire pump hours of operation in hr/yr and

BSETAHO = 12 month rolling total Black start Engine hours

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of operation in hrs/year

All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Note: Black start engine emergency generator is subject to 40 CFR 60 SubPart III Section 4202 (a)(2) , therefore subject 40 CFR 89.112 Table 1 NOx emission std 6.4 gram/kW-hr. (6.4gm /kW-hr x 1474 bhp-hr x 1Kw /1.34 bhp x 1lb/454 gram = 15.5 lbs/hr)

Manufacturer Name/Model Number: NOx Analyzer
 Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 22.5 tons per year
 Reference Test Method: 40 CFR 75
 Monitoring Frequency: CONTINUOUS
 Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 3 calendar month(s).

**Condition 25: Statement dates for emissions statements.
 Effective for entire length of Permit**

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

Item 25.1:

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.

**Condition 26: Visible Emissions Limited
 Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 211.2

Item 26.1:

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.

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Condition 27: Compliance Certification
Effective for entire length of Permit

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

Item 27.1:

The Compliance Certification activity will be performed for the Facility.

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 28: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 225-1.5 (c)

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 owner or operator must make daily measurements of the rate of each fuel fired at the facility. The owner or operator must also measure the gross heat content and ash

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content of each fuel fired at least once each week if this information is not provided in the vendor fuel certification receipts. Owners or operators of stationary combustion installations producing electricity for sale must measure the average electrical output and the hourly generation rate of the facility. These records must be maintained on site or at a Department approved alternative location for a minimum of five years.

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:6 NYCRR 225-1.6 (f)

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must maintain records of excess emissions. The owner or operator must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such exceedances if known, for each calendar quarter, within 30 days after the end of any quarterly period in which an exceedance[s] takes place. These records must be kept on site or at a Department approved alternative location for a minimum of five years.

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

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

Item 30.1:

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

Emission Unit: 1-00001	Emission Point: 00001
Emission Unit: 1-00001	Emission Point: 00002

Item 30.2:

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

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

**Condition 31: EPA Region 2 address.
 Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 31.1:

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:

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

**Condition 32: Recordkeeping requirements.
Effective for entire length of Permit**

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

Item 32.1:

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

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

Item 33.1:

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 34: Circumvention.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 34.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 35: Monitoring requirements.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 35.1:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and

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operated in accordance with the requirements of section 60.13.

Condition 36: Applicability
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 36.1:

This Condition applies to:

Emission Unit: 100001

Process: 005

Emission Source: 00011

Item 36.2:

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

Condition 37: Applicability
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 37.1:

This Condition applies to:

Emission Unit: 100001

Process: 004

Emission Source: 00010

Emission Unit: 100001

Process: 005

Emission Source: 00011

Item 37.2:

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

Condition 38: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective for entire length of Permit

Applicable Federal Requirement:40 CFR Part 72

Item 38.1: 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 maintain a copy of the Title IV Acid Rain permit together with this Title V permit in the facility's files.

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**Condition 39: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 97.406, Subpart AAAAA

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418 of Subpart AAAAA. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.

(2) The facility, and the designated representative, of each TR NOx Annual source (facility) and each TR NOx Annual Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435 of Subpart AAAAA and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.

(3) The emissions data determined shall be used to calculate allocations of TR NOx Annual allowances and to determine compliance with the TR NOx Annual emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year,

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

Applicable Federal Requirement: 40CFR 97.606, Subpart CCCCC

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 40.2:

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; 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

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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

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

Applicable Federal Requirement:40CFR 97.1006, Subpart GGGGG

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

(2) The facility, and the designated representative, of each CSAPR NOx Ozone Season Group 3 source (facility) and each CSAPR NOx Ozone Season Group unit at the facility must comply with the monitoring, reporting, and recordkeeping requirements of §§97.1030 through 97.1035 of Subpart GGGGG and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 42: Emission Point Definition By Emission Unit Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 42.1:

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

Emission Unit: 1-00001

Emission Point: 00001

Height (ft.): 107 Diameter (in.): 144
 NYTMN (km.): 4517.048 NYTME (km.): 591.453

Emission Point: 00002

Height (ft.): 107 Diameter (in.): 144
 NYTMN (km.): 4517.026 NYTME (km.): 591.44

Emission Point: 00003

Height (ft.): 15 Diameter (in.): 22
 NYTMN (km.): 4517.019 NYTME (km.): 591.481

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Emission Point: 00004
 Height (ft.): 15 Diameter (in.): 22
 NYTMN (km.): 4517.019 NYTME (km.): 591.481

Emission Point: 00005
 Height (ft.): 13 Diameter (in.): 3
 NYTMN (km.): 4517.019 NYTME (km.): 591.481

Emission Point: 00006
 Height (ft.): 1 Diameter (in.): 5
 NYTMN (km.): 4517.019 NYTME (km.): 591.481

Emission Point: 00007
 Height (ft.): 15 Diameter (in.): 8
 NYTMN (km.): 4517.26 NYTME (km.): 591.44 Building: BSEDG

**Condition 43: Process Definition By Emission Unit
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 43.1:

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

Emission Unit: 1-00001
 Process: 001 Source Classification Code: 2-01-002-01
 Process Description:
 Two combustion turbines (GE LM6000) firing natural gas.

Emission Source/Control: 00001 - Combustion
 Design Capacity: 420 million Btu per hour

Emission Source/Control: 00003 - Combustion
 Design Capacity: 420 million Btu per hour

Item 43.2:

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

Emission Unit: 1-00001
 Process: 002 Source Classification Code: 1-02-006-03
 Process Description: Natural gas firing in two 7.4 mmBtu/hr boilers.

Emission Source/Control: 00007 - Combustion
 Design Capacity: 7.4 million Btu per hour

Emission Source/Control: 00008 - Combustion
 Design Capacity: 7.4 million Btu per hour

Item 43.3:

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

Emission Unit: 1-00001

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Process: 003 Source Classification Code: 2-02-001-02
Process Description: One 60 bhp diesel fire pump.

Emission Source/Control: 00009 - Combustion
Design Capacity: 60 horsepower (mechanical)

Item 43.4:

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

Emission Unit: 1-00001
Process: 004 Source Classification Code: 2-02-001-02
Process Description: One 746 bhp diesel back-up generator.

Emission Source/Control: 00010 - Combustion
Design Capacity: 746 horsepower (mechanical)

Item 43.5:

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

Emission Unit: 1-00001
Process: 005 Source Classification Code: 2-01-001-07
Process Description:
Caterpillar (1000KWe) emergency diesel generator.

Emission Source/Control: 00011 - Combustion
Design Capacity: 1,474 horsepower (mechanical)

Condition 44: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The diesel fire pump and back-up engines (emissions sources, 00009, 00010 & 00011) shall each be limited to 500 hours per year of operation. These engines shall install non resettable hour meters to record their hours of operation. The records for number of hours per year fired shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

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Upper Permit Limit: 500 hours

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 45: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of this facility shall not operate the combustion turbines below 60 percent load (28.2 MW per turbine), except during periods of startup or shutdown.

The owner or operator shall monitor and record the megawatt output of each combustion turbine continuously.

All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

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 46: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Item 46.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Start-up shall be defined as the 30 minute period of time

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from the point that the gas turbine begins firing fuel. The owner or operator shall record the date and time of each period of start-up. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Parameter Monitored: DURATION OF START UP
 Upper Permit Limit: 30 minutes
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 3 calendar month(s).

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

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 47.1:
 The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Item 47.2:
 Compliance Certification shall include the following monitoring:

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

Monitoring Description:

A shutdown shall be defined as the period of time when the stop signal is initiated to when fuel is no longer being combusted in the engine or a subsequent start is initiated, not to exceed 20 minutes per occurrence. The owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
 Upper Permit Limit: 20 minutes
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 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 48: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The back-up engine(emission source 00010) shall meet a limit of 10.23 pounds per hour of NOx emissions. The owner or operator shall conduct compliance testing once every five years. The owner or operator shall submit a test protocol for Department approval. Testing shall be scheduled no sooner than 30 days of test protocol approval. The test results shall be submitted to the Department within 60 days of test completion. Test results shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 10.23 pounds per hour

Reference Test Method: 40 CFR 60 Appendix B & F

Monitoring Frequency: Once every five years

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

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

Condition 49: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 49.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. This facility shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen. The 5.0 pounds per hour limit shall apply during steady state operations where the turbine operates for the full 60 minutes of the hour. The following limits shall apply during steady state partial hours (less than the full 60 minutes) of operation:

Time Period (minutes)	NOx Mass Limit (pounds)
1 - 15	2.5
16 - 30	3.0
31 - 45	3.75
46 - 59	5.0

Emissions in excess of the steady state limits for full 60 minute hours and steady state partial hours shall be reported quarterly through the facility's excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: NOx Analyzer
 Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 5.0 pounds per hour
 Reference Test Method: 40 CFR 75
 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 50: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Permit ID: 2-6007-00726/00003

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Regulated Contaminant(s):

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

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. This facility shall install, calibrate, maintain, and operate a continuous 40 CFR Part 75 emissions monitor for measuring and recording oxides of nitrogen. The facility shall also install either a continuous monitor for oxygen or carbon dioxide. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

The 2.5 ppmvd limit shall be applicable during periods of steady state operation where the facility operates 16 or more minutes consecutively in one clock hour. When a facility operates in steady state less than 16 minutes (consecutively in one clock hour, and excluding startup or shutdown) the 2.5 ppmvd limit does not apply, but a mass emission limit of 2.5 pounds applies. Emissions in excess of either the 2.5 ppmvd limit or the 2.5 pound limit shall be reported quarterly through the facility's excess emissions report.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 2.5 parts per million by volume
(dry, corrected to 15% O2)

Reference Test Method: 40 CFR 75

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

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

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

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Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. This facility shall install, calibrate, maintain and operate a continuous emissions monitor for oxides of nitrogen. This limit shall apply only during periods of shutdown, not to exceed 20 minutes per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 5.0 pounds

Reference Test Method: None

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

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:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. This facility shall install, calibrate, maintain and operate a continuous emissions monitor for carbon monoxide. This limit shall apply during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained by the

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applicant at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer
 Parameter Monitored: CARBON MONOXIDE
 Upper Permit Limit: 8.0 pounds
 Reference Test Method: 40 CFR 60 Appendix F
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 Reporting Requirements: QUARTERLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 3 calendar month(s).

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

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

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

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. This facility shall install, calibrate, maintain and operate a continuous emissions monitor for carbon monoxide. This limit shall apply at all times except during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer
 Parameter Monitored: CARBON MONOXIDE
 Upper Permit Limit: 0.013 pounds per million Btus
 Reference Test Method: 40 CFR 60 Appendix F
 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 54: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines,
Emission sources 00001 and 00002.

The facility shall install, calibrate, maintain, and
operate a continuous emissions monitor for ammonia slip,
in accordance with the manufacturer's specifications.

This limit shall apply during periods of start-up or
shutdown. Emissions in excess of this limit shall be
reported quarterly through the facility's excess emissions
report. All records shall be maintained by the applicant
at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: Ammonia Analyzer

Parameter Monitored: AMMONIA

Upper Permit Limit: 7.4 pounds

Reference Test Method: 40 CFR 60 Appendix A Conditional Method 203

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 55: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Permit ID: 2-6007-00726/00003

Facility DEC ID: 2600700726

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. The facility shall install, calibrate, maintain, and operate a continuous emissions monitor for ammonia slip, in accordance with the manufacturer's specifications. This limit shall apply at all times except during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: Ammonia analyzer

Parameter Monitored: AMMONIA

Upper Permit Limit: 10.0 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: 40 CFR 60 Appendix A Conditional Method 203

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

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

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

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two Heatec boilers are each limited 30 ppmvd, corrected to 3% oxygen (0.0364lb/mmBtu) of NOx emissions. The owner or operator shall conduct compliance testing once every five years. The owner or operator shall submit a test protocol for Department approval. Testing shall be scheduled no sooner than 30 days of test protocol approval. The test results shall be submitted to

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the Department within 60 days of test completion. Test results shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 30 parts per million by volume (dry, corrected to 3% oxygen)
 Reference Test Method: 40 CFR 60 Method 19
 Monitoring Frequency: Once every five years
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 60 days after the reporting period.
 Subsequent reports are due every 6 calendar month(s).

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

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00001

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

Item 57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This condition is applicable to the two turbines, Emission sources 00001 and 00002. This facility shall install, calibrate, maintain and operate a continuous emissions monitor for oxides of nitrogen. This limit shall apply only during periods of start-up (30 minutes per occurrence). Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained by the applicant at their Poletti facility for a minimum of five years.

Manufacturer Name/Model Number: NOx Analyzer
 Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 15.0 pounds
 Reference Test Method: None
 Monitoring Frequency: CONTINUOUS
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
 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 58: Compliance Certification
Effective for entire length of Permit

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

Item 58.1:

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

Emission Unit: 1-00001	Emission Point: 00001
Process: 001	Emission Source: 00001
Emission Unit: 1-00001	Emission Point: 00002
Process: 001	Emission Source: 00003

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60 Subpart GG, that is using water injection to control NOx emissions, shall install and operate a continuous monitoring system to monitor and record fuel consumption and the ratio of water to fuel fired in the turbine. This system shall be accurate to within +/- 5.0 percent and shall be approved by the Administrator.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 0 days after the reporting period.

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

Condition 59: Custom fuel monitoring schedule
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.334(h)(4), NSPS Subpart GG

Item 59.1:

This Condition applies to Emission Unit: 1-00001

Item 59.2:

For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and for which a custom fuel monitoring schedule has previously been approved, the owner or operator may, without submitting a special petition to the Administrator, continue monitoring on this schedule.

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STATE ONLY ENFORCEABLE CONDITIONS****** Facility Level ********NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined in 6 NYCRR subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

(2) the equipment at the facility was being properly operated and maintained;

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

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

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or malfunction provision contained in any applicable requirement.

Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and

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standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 60: Contaminant List
Effective for entire length of Permit

Applicable State Requirement:ECL 19-0301

Item 60.1:

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: 007664-41-7
Name: AMMONIA

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

Condition 61: Malfunctions and Start-up/Shutdown Activities
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 201-1.4

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Item 61.1:

(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 62: Air pollution prohibited
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 211.1

Item 62.1:

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.

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**Condition 63: CO2 Budget Trading Program - Excess emission requirements
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 242-1.5

Item 63.1:

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

Applicable State Requirement: 6 NYCRR 242-1.5

Item 64.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 64.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- (1) The owners and operators of each CO2 budget source and each CO2 budget unit at the source shall hold CO2 allowances available for compliance deductions under Section 242-6.5, as of the CO2 allowance transfer deadline, in the source's compliance account in an amount not less than the total CO2 emissions for the control period from all CO2 budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.
- (2) Each ton of CO2 emitted in excess of the CO2 budget emissions limitation shall constitute a separate violation of this Part and applicable state law.
- (3) A CO2 budget unit shall be subject to the requirements

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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 65: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 242-1.5

Item 65.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 65.2:

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

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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).

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

**Condition 66: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 251.3 (b)

Item 66.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00001

Process: 001

Emission Source: 00001

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

Item 66.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

On or after December 31, 2020, owners or operators of non-modified existing sources shall not fire any single fossil fuel, alone or in combination with any other fuel, where each fossil fuel is required to meet an emission rate of 180 pounds of CO₂ per million Btu of input (input-based limit). These emission limits are measured on an annual basis, calculated by dividing the annual total of CO₂ emissions for the calendar year by the annual total Btus (input-based limit) fired for each separate fossil fuel fired. The owner or operator must maintain all records associated with these requirements on site or at a location acceptable to the Department for a minimum of five years.

Manufacturer Name/Model Number: CO₂ Continuous Monitor

Parameter Monitored: CARBON DIOXIDE

Upper Permit Limit: 180 pounds per million Btus

Monitoring Frequency: CONTINUOUS

Averaging Method: CALENDAR YEAR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 67: Compliance Demonstration
 Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 251.3 (b)

Item 67.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00001
 Process: 001 Emission Source: 00003

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

Item 67.2:

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

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fossil fuel, alone or in combination with any other fuel, where each fossil fuel is required to meet an emission rate of 180 pounds of CO₂ per million Btu of input (input-based limit). These emission limits are measured on an annual basis, calculated by dividing the annual total of CO₂ emissions for the calendar year by the annual total Btus (input-based limit) fired for each separate fossil fuel fired. The owner or operator must maintain all records associated with these requirements on site or at a location acceptable to the Department for a minimum of five years.

Manufacturer Name/Model Number: CO₂ Continuous Monitor

Parameter Monitored: CARBON DIOXIDE

Upper Permit Limit: 180 pounds per million Btus

Monitoring Frequency: CONTINUOUS

Averaging Method: CALENDAR YEAR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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