

Facility DEC ID: 2610200086

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6102-00086/00011
Effective Date:

Expiration Date:

Permit Issued To: ASTORIA GENERATING COMPANY, L.P.
c/o ALPHA GENERATION LLC
300 ATLANTIC ST FL 5
STAMFORD, CT 06901

Contact: ANDREW W OLIVER
ASTORIA GENERATING COMPANY, LP C/O ALPHA GENERATION
LLC
300 ATLANTIC ST FL 5
STAMFORD, CT 06901
(315) 436-3552

Facility: NARROWS GENERATING STATION
53RD ST & FIRST AVE|4 Whale Square, Includes in water- dolphins on s/side,
stacks, and pier on n/side; on land- buildings and tanks.
Brooklyn (6102), NY 11232

Contact: NATALIA HERNANDEZ
ASTORIA GENERATING STATION
18-01 20TH AVE GATE 1
ASTORIA, NY 11105
(718) 204-3918

Description:

The Facility operates an existing power station that produces electricity. The facility operates sixteen (16) combustion turbines and sixteen (16) starting engines located on two floating barges listed in emission units N-A0005 and N-A0006. Each combustion turbine is rated at 297 MMBtu/hr and each starting engine is rated at 600 horsepower. The turbines combust distillate oil (ULSD) and natural gas. The starting engines combust ULSD.

Facility DEC ID: 2610200086

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: ____ / ____ / ____

Facility DEC ID: 2610200086

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.

Facility DEC ID: 2610200086

PAGE LOCATION OF CONDITIONS

PAGE

DEC GENERAL CONDITIONS

General Provisions

- | | | |
|---|---|---|
| 5 | 1 | Facility Inspection by the Department |
| 5 | 2 | Relationship of this Permit to Other Department Orders and Determinations |
| 5 | 3 | Applications for permit renewals, modifications and transfers |
| 6 | 4 | Permit modifications, suspensions or revocations by the Department |

Facility Level

- | | | |
|---|---|--|
| 6 | 5 | Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS |
|---|---|--|

Facility DEC ID: 2610200086

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

Facility DEC ID: 2610200086

submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal - REGION 2

HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

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

NYSDEC Regional Permit Administrator
 Region 2 Headquarters
 Division of Environmental Permits
 1 Hunters Point Plaza, 4740 21st Street
 Long Island City, NY 11101-5407
 (718) 482-4997

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ASTORIA GENERATING COMPANY, L.P.
c/o ALPHA GENERATION LLC
300 ATLANTIC ST FL 5
STAMFORD, CT 06901

Facility: NARROWS GENERATING STATION
53RD ST & FIRST AVE|4 Whale Square, Includes in water- dolphins on
s/side, stacks, and pier on n/side; on land- buildings and tanks.
Brooklyn (6102), NY 11232

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

Permit Effective Date:

Permit Expiration Date:

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

PAGE LOCATION OF CONDITIONS**PAGE****FEDERALLY ENFORCEABLE CONDITIONS****Facility Level**

7	1 6 NYCRR 200.6: Acceptable Ambient Air Quality
8	2 6 NYCRR 201-6.4 (a) (7): Fees
8	3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
8	4 6 NYCRR 201-6.4 (c) (2): Compliance Certification
9	5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
11	6 6 NYCRR 201-6.4 (e): Compliance Certification
13	7 6 NYCRR 202-2.5: Recordkeeping requirements
13	8 6 NYCRR 215.2: Open Fires - Prohibitions
14	9 6 NYCRR 200.7: Maintenance of Equipment
15	10 6 NYCRR 201-1.7: Recycling and Salvage
15	11 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
15	12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
15	13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
15	14 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
16	15 6 NYCRR 201-6.4 (a) (8): Right to Inspect
16	16 6 NYCRR 202-1.1: Required Emissions Tests
17	17 40 CFR Part 68: Accidental release provisions.
17	18 40CFR 82, Subpart F: Recycling and Emissions Reduction
17	19 6 NYCRR 200.6: Compliance Certification
18	20 6 NYCRR Subpart 201-6: Emission Unit Definition
19	21 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
19	22 6 NYCRR 201-6.4 (f): Operational Flexibility
19	23 6 NYCRR Subpart 201-7: Facility Permissible Emissions
20	*24 6 NYCRR Subpart 201-7: Capping Monitoring Condition
21	*25 6 NYCRR Subpart 201-7: Capping Monitoring Condition
23	26 6 NYCRR 202-2.4 (a) (3): Statement dates for emissions statements.
24	27 6 NYCRR Part 207: Submittal of Episode Action Plans
24	28 6 NYCRR 211.2: Visible Emissions Limited
24	29 6 NYCRR 225-1.2 (d): Compliance Certification
25	30 6 NYCRR 225-1.5 (c): Compliance Certification
26	31 6 NYCRR 225-1.6 (f): Compliance Certification
26	32 6 NYCRR 227-1.3 (c): Compliance Certification
27	33 6 NYCRR 227-1.4 (a): Compliance Certification
27	34 6 NYCRR 227-1.4 (a): Compliance Certification
29	35 6 NYCRR 227-2.5: Compliance Certification
29	36 6 NYCRR 227-2.6: Compliance Certification
30	37 6 NYCRR 227-2.6: Compliance Certification
31	38 6 NYCRR 227-3.6: Compliance Certification
31	39 40CFR 63, Subpart ZZZZ: Applicability
	Emission Unit Level
32	40 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
34	41 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
39	42 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

EU=N-A0005

39 *43 6 NYCRR Subpart 201-7: Capping Monitoring Condition

EU=N-A0006

41 *44 6 NYCRR Subpart 201-7: Capping Monitoring Condition

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

45 45 ECL 19-0301: Contaminant List
 45 46 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
 46 47 6 NYCRR 211.1: Air pollution prohibited
 47 48 6 NYCRR 242-1.5: Compliance Demonstration
 48 49 6 NYCRR Subpart 242-4: Compliance Demonstration
 50 50 6 NYCRR 242-8.5: Compliance Demonstration
 51 51 6 NYCRR 251.3 (b): Compliance Demonstration
 52 52 6 NYCRR 251.6 (f): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

FEDERALLY ENFORCEABLE CONDITIONS

Renewal 4/DRAFT

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)

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

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

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

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

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

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

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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

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

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

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

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

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

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

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

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.

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

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

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 200.6****Item 1.1:**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees
Effective for entire length of Permit

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

Item 2.1:

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

Condition 3: Recordkeeping and Reporting of Compliance Monitoring
Effective for entire length of Permit

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

Item 3.1:

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

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

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

Condition 4: Compliance Certification
Effective for entire length of Permit

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

Item 4.1:

The Compliance Certification activity will be performed for the Facility.

Item 4.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

The owner or operator of a Title V facility must keep all records used to determine compliance with any applicable limit(s) and/or monitoring requirement(s) at the facility (or other Department approved location) for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 5: Compliance Certification
Effective for entire length of Permit

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

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

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

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

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
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;

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. 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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2026.
Subsequent reports are due on the same day each year

Condition 7: Recordkeeping requirements
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 7.1:

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

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

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

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

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

Applicable Federal Requirement:6 NYCRR 215.2

Item 8.1:

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

Item 8.2

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

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

- (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 9: Maintenance of Equipment
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 200.7

Item 9.1:

Any person who owns or operates an air contamination source which is equipped with an

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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 10: Recycling and Salvage
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 10.1:

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

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

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 11.1:

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

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

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

Item 12.1:

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

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

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

Item 13.1:

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

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**Item 14.1:**

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

**Condition 15: Right to Inspect
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)****Item 15.1:**

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

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

**Condition 16: Required Emissions Tests
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 202-1.1****Item 16.1:**

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

Condition 17: Accidental release provisions.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Effective for entire length of Permit

Applicable Federal Requirement:40 CFR Part 68

Item 17.1:

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

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

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

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

Applicable Federal Requirement:40CFR 82, Subpart F

Item 18.1:

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

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

Condition 19: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 200.6

Item 19.1:

The Compliance Certification activity will be performed for the Facility.

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Item 19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The unit OGT17 may operate for no more than 7 calendar days per year, when firing ULSD. There are no restrictions on any other combinations of units when firing ULSD. This enforceable permit condition would ensure that the facility will not cause or contribute to exceedance of the 1-hour NO₂ NAAQS.

The facility shall maintain an operating log each time unit OGT17 is operating, and maintain the log for five years and make it available to NYSDEC Division of Air Resources, when requested.

Work Practice Type: DAYS PER YEAR OPERATION

Upper Permit Limit: 7 days

Monitoring Frequency: WHEN THE SOURCE IS OPERATING

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**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: N-A0005

Emission Unit Description:

Combustion turbines 1 through 8 on barge 1 are rated at 297 mmbtu/hr each. Each combustion turbine has the capability to burn both distillate oil and natural gas. Each combustion turbine has its own diesel starter engine, rated at 600 hp.

Building(s): PIER 1

Item 20.2:

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

Emission Unit: N-A0006

Emission Unit Description:

Combustion turbines 1 through 8 on barge 2 are rated at 297 mmbtu/hr each. Each combustion turbine has the capability to burn both distillate oil and natural gas. Each combustion turbine has its own diesel starter engine, rated at 600 hp.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Building(s): PIER 1

**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.

**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: 000050-00-0
Name: FORMALDEHYDE

PTE: 19,395 pounds per year

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

PTE: 14,632,131 pounds per year

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

**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:

40 CFR Part 63, Subpart DDDDD

Item 24.2:

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

Item 24.3:

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

Item 24.4:

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

Item 24.5:

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

Item 24.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0 FORMALDEHYDE

Item 24.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Under the authority of 6 NYCRR Part 201-7, this condition

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40 CFR Part 63, Subpart DDDDD

The facility wide emissions of formaldehyde are limited to less than 10 tons per year.

The owner shall keep records of these emissions at the facility for 5 years and make available to DEC inspector(s) upon request and submit annually (calendar) the emissions to:

Regional Air Pollution Control Engineer
NYSDEC, R2
47-40 21st Street
LIC, NY 11101

Parameter Monitored: FORMALDEHYDE

Upper Permit Limit: 10 tons per year

Monitoring Frequency: WHEN THE SOURCE IS OPERATING

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 25: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 25.1:

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

6 NYCRR Subpart 231-2
40 CFR Part 52, Subpart A

Item 25.2:

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

Item 25.3:

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

other state and federal air pollution control requirements, regulations or law.

Item 25.4:

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

Item 25.5:

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 25.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD11

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD12

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD13

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD14

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD15

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD16

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD17

Emission Unit: N-A0005

Process: SD1

Emission Source: OSD18

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD21

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD22

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD23

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD24

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD25

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD26

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD27

Emission Unit: N-A0006

Process: SD2

Emission Source: OSD28

Regulated Contaminant(s):

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

Item 25.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The total annual operation of 16 starter engines (OSD11-OSD18, OS21-OSD28) in this process is limited to 2560 hours (Engine NO_x emission factor 0.031 lbs/hp-hr, AP-42 Fifth Edition, October 1996, Table 3.3-1). Thus the total annual emissions of NO_x from these units will be less than 25 tpy threshold for PSD or New source review applicability. Monthly total operating hours shall be maintained at the facility, and all the records shall be kept at the facility for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: WHEN THE SOURCE IS OPERATING

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 26: Statement dates for emissions statements.
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 202-2.4 (a) (3)**Item 26.1:**

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:

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

- (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 27: Submittal of Episode Action Plans
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Part 207

Item 27.1:

An episode action plan must be submitted for approval by the Department in accordance with the requirements of 6 NYCRR Part 207. The plan shall contain detailed steps which will be taken by the facility to reduce air contaminant emissions during each stage of an air pollution episode. Once approved, the facility shall take whatever actions are prescribed by the episode action plan when an air pollution episode is in effect.

Condition 28: Visible Emissions Limited
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 211.2

Item 28.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 29: Compliance Certification
Effective for entire length of Permit

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

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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 30: Compliance Certification
Effective for entire length of Permit

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

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: 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 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).

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Condition 31: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 225-1.6 (f)

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: 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 32: Compliance Certification
Effective for entire length of Permit

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

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

tune-up procedures for each emission source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 33: Compliance Certification
Effective for entire length of Permit

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

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

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 34: Compliance Certification
Effective for entire length of Permit

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

Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil firing emission sources subject to 6 NYCRR Subpart 227-1 which do not employ a continuous opacity monitor for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each emission source which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - date and time of day
 - observer's name
 - identity of the emission point
 - weather conditions
 - was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

- 3) If the operator observes any visible emissions (other than steam - see below) for two consecutive days while firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 35: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-2.5

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Astoria Generating Company's system-wide averaging of NO_x emissions from its Astoria, Gowanus, and Narrows Generating Stations must be performed in accordance with the most current version of the NO_x RACT Averaging Plan (October 2017) approved by the Department. Narrows Generating Station's sixteen turbines and starter engines are also included in the averaging plan.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 36: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-2.6

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 36.2:

Compliance Certification shall include the following monitoring:

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Stack testing shall be performed to verify compliance of NOx emissions from the Combustion Turbines with the most current version of the system-wide averaging plan (NOx RACT Compliance and Operating Plan), submitted by Astoria Generating Company. All stack testing shall be done in accordance with 6NYCRR 227-2.6(c).

Monitoring Frequency: Once every five years

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 37: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 227-2.6

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In lieu of performing a stack test on the Starter Engines associated with the Combustion Turbines, a log must be kept which lists the dates of operation of the Starter Engines and the duration of each occurrence. The log must be maintained at the facility and submitted, semiannually to the Department, at the following address:

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

Engineer

The information on the Starter Engines, provided to the applicant by the engine manufacturer, is attached to this permit and constitutes an enforceable part of the permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 38: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 227-3.6

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Beginning May 1, 2025, the facility is allowed to operate under the New York Independent System Operator (NYISO) reliability determination. This allows the facility generators continued operation until May 1, 2027 consistent with the 6 NYCRR 227-3 (or until permanent solutions to the identified need are in place if earlier than May 1, 2027).

Before February 1, 2027, the facility must submit a plan outlining how they will comply with the 6 NYCRR 227-3, for the next 2 years.

The facility shall record and report the time, date, and duration of the periods it is called upon to operate for reliability needs.

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 39: Applicability
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63, Subpart ZZZZ

Item 39.1:

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

**** Emission Unit Level ****

**Condition 40: Emission Point Definition By Emission Unit
Effective for entire length of Permit**
Applicable Federal Requirement: 6 NYCRR Subpart 201-6**Item 40.1:**

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

Emission Unit: N-A0005

Emission Point: OGT11

Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1

Emission Point: OGT12

Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 482.433	Building: PIER 1

Emission Point: OGT13

Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1

Emission Point: OGT14

Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1

Emission Point: OGT15

Height (ft.): 62	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1

Emission Point: OGT16

Height (ft.): 62	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1

Emission Point: OGT17

Height (ft.): 62	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1

Emission Point: OGT18

Height (ft.): 62	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1

Emission Point: OSD11

Height (ft.): 37	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 482.395	Building: PIER 1

Emission Point: OSD12

Height (ft.): 37	Diameter (in.): 8	
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Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD13		
Height (ft.): 37	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD14		
Height (ft.): 37	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD15		
Height (ft.): 37	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD16		
Height (ft.): 36	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD17		
Height (ft.): 37	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD18		
Height (ft.): 37	Diameter (in.): 8	
NYTMN (km.): 4500.472	NYTME (km.): 582.395	Building: PIER 1

Item 40.2:

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

Emission Unit: N-A0006		
Emission Point: OGT21		
Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1
Emission Point: OGT22		
Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1
Emission Point: OGT23		
Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1
Emission Point: OGT24		
Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1
Emission Point: OGT25		
Height (ft.): 57	Length (in.): 240	Width (in.): 154
NYTMN (km.): 4500.423	NYTME (km.): 582.433	Building: PIER 1
Emission Point: OGT26		

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Height (ft.): 57 NYTMN (km.): 4500.423	Length (in.): 240 NYTME (km.): 582.433	Width (in.): 154 Building: PIER 1
Emission Point: OGT27		
Height (ft.): 57 NYTMN (km.): 4500.423	Length (in.): 240 NYTME (km.): 582.433	Width (in.): 154 Building: PIER 1
Emission Point: OGT28		
Height (ft.): 57 NYTMN (km.): 4500.423	Length (in.): 240 NYTME (km.): 582.433	Width (in.): 154 Building: PIER 1
Emission Point: OSD21		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD22		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD23		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD24		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD25		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD26		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD27		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1
Emission Point: OSD28		
Height (ft.): 37 NYTMN (km.): 4500.472	Diameter (in.): 8 NYTME (km.): 582.395	Building: PIER 1

Condition 41: Process Definition By Emission Unit
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 41.1:

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

Emission Unit: N-A0005

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Process: D01

Source Classification Code: 2-01-001-01

Process Description:

This process includes 8 combustion turbines on barge 1 rated at 297 mmbtu/hr each. This process covers the combustion of distillate oil in these turbines.

Emission Source/Control: 0GT11 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT12 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT13 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT14 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT15 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT16 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT17 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT18 - Combustion

Design Capacity: 297 million Btu per hour

Item 41.2:

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

Emission Unit: N-A0005

Process: NG1

Source Classification Code: 2-01-002-01

Process Description:

This process includes 8 combustion turbines on barge 1 rated at 297 mmbtu/hr each. This process covers the combustion of natural gas in these turbines.

Emission Source/Control: 0GT11 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT12 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT13 - Combustion

Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT14 - Combustion

Design Capacity: 297 million Btu per hour

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Emission Source/Control: 0GT15 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT16 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT17 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT18 - Combustion
Design Capacity: 297 million Btu per hour

Item 41.3:

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

Emission Unit: N-A0005
Process: SD1 Source Classification Code: 2-01-001-02
Process Description:
This process includes 8 diesel starter engines on barge 1
rated at 600 hp each and combusting #2 fuel oil.

Emission Source/Control: OSD11 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD12 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD13 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD15 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD16 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD17 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD18 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD14 - Process
Design Capacity: 600 horsepower (mechanical)

Item 41.4:

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

Emission Unit: N-A0006
Process: D02 Source Classification Code: 2-01-001-01
Process Description:
This process includes 8 combustion turbines on barge 2

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

rated at 297 mmbtu/hr each. This process covers the combustion of distillate oil in these turbines.

Emission Source/Control: 0GT21 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT22 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT23 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT24 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT25 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT26 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT27 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT28 - Combustion
Design Capacity: 297 million Btu per hour

Item 41.5:

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

Emission Unit: N-A0006

Process: NG2

Source Classification Code: 2-01-002-01

Process Description:

This process includes 8 combustion turbines on barge 2 rated at 297 mmbtu/hr each. This process covers the combustion of natural gas in these turbines.

Emission Source/Control: 0GT21 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT22 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT23 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT24 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT25 - Combustion
Design Capacity: 297 million Btu per hour

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Emission Source/Control: 0GT26 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT27 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT28 - Combustion
Design Capacity: 297 million Btu per hour

Item 41.6:

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

Emission Unit: N-A0006
Process: SD2 Source Classification Code: 2-01-001-02
Process Description:
This process includes 8 diesel starter engines on barge 2
rated at 600 hp each and combusting #2 fuel oil.

Emission Source/Control: 0GT21 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT22 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT23 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT24 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT25 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT26 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT27 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: 0GT28 - Combustion
Design Capacity: 297 million Btu per hour

Emission Source/Control: OSD21 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD22 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD23 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD24 - Combustion

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD25 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD26 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD27 - Combustion
Design Capacity: 600 horsepower (mechanical)

Emission Source/Control: OSD28 - Combustion
Design Capacity: 600 horsepower (mechanical)

**Condition 42: Emission Unit Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 42.1:

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

Emission Unit: N-A0005

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 1,424 pounds per hour

7,314,269 pounds per year

Emission Unit: N-A0006

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 1,424 pounds per hour

7,314,269 pounds per year

**Condition 43: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 43.1:

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

40 CFR Part 75

Item 43.2:

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

Item 43.3:

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 43.4:

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 43.5:

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 43.6:

The Compliance Certification activity will be performed for:

Emission Unit: N-A0005

Regulated Contaminant(s):

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

Item 43.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

To maintain its status as a "Low Mass Emission Unit", the Applicant requests a federally enforceable cap of 50 tons nox per ozone season per combustion turbine. This corresponds to 400 tons of NO_x from this emission unit for the period may 1 through sept 30 each year. Following equation will be used to verify emissions with the cap.

$D + G < 50 \text{ tons/unit/ozone season of NO}_x$, where:

D= monthly tons of NO_x from distillate oil combustion as determined by the following equation
(Monthly unit heat input, oil) x (epa accepted part 75.19 nox emission factor, oil)

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Mmbtu, oil x lbs of NOx/mmbtu, oil

G= monthly tons of nox from natural gas combustion as determined by the following equation
(Monthly unit heat input, natural gas) x (EPA accepted Part 75.19 NOx emission factor, gas)
Mmbtu, natural gas x lbs of nox/mmbtu, natural gas

Emission factor will be determined in accordance with 40 CFR 75.19

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 50 tons

Reference Test Method: CFR Part 75.19

Monitoring Frequency: MONTHLY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -

SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 44: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 44.1:

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

40 CFR Part 75

Item 44.2:

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

Item 44.3:

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 44.4:

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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 44.5:

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 44.6:

The Compliance Certification activity will be performed for:

Emission Unit: N-A0006

Regulated Contaminant(s):

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

Item 44.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

To maintain its status as a "low mass emission unit", the Applicant requests a federally enforceable cap of 50 tons NOx per ozone season per combustion turbine. This corresponds to 400 tons of NOx from this emission unit for the period may 1 through sept 30 each year. Following equation will be used to verify emissions with the cap.

$D + G < 50$ tons/unit/ozone season of NOx. Where,

D= monthly tons of NOx from distillate oil combustion as determined by the following equation

(Monthly unit heat input, oil) x (EPA accepted part 75.19
NOx emission factor, oil)
Mmbtu, oil x lbs of NOx/mmbtu, oil

G= monthly tons of nox from natural gas combustion as determined by the following equation

(Monthly unit heat input, natural gas) x (EPA accepted
part 75.19 NOx emission factor, gas)
Mmbtu, natural gas x lbs of nox/mmbtu, natural
gas

Emission factor will be determined in accordance with 40
CFR 75.19

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 50 tons

Reference Test Method: CFR Part 75.19

Monitoring Frequency: MONTHLY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 45: Contaminant List
Effective for entire length of Permit

Applicable State Requirement: ECL 19-0301

Item 45.1:

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

CAS No: 000050-00-0
Name: FORMALDEHYDE

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

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

Condition 46: Malfunctions and Start-up/Shutdown Activities
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 201-1.4

Item 46.1:

(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.

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

Applicable State Requirement: 6 NYCRR 211.1

Item 47.1:

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

Condition 48: Compliance Demonstration

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Effective for entire length of Permit**Applicable State Requirement: 6 NYCRR 242-1.5****Item 48.1:**

The Compliance Demonstration activity will be performed for the Facility.

Item 48.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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 49: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR Subpart 242-4

Item 49.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 49.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Annual Compliance Certification Report:

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

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

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

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

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

(c) In the compliance certification report the CO₂ authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the CO₂ budget units at the source in compliance with the CO₂ Budget Trading Program, whether the source and each CO₂ budget unit at the source for which the compliance certification is submitted was operated during the calendar years covered by the report in compliance with the requirements of the CO₂ Budget Trading Program, including:

(1) whether the source was operated in compliance with the CO₂ requirements of section 242-1.5(c) of this Part;

(2) whether the monitoring plan applicable to each unit at the source has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute CO₂ emissions to the unit, in accordance with Subpart 242-8 of this Part;

(3) whether all the CO₂ emissions from the units at the source were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 242-8 of this Part. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(4) whether the facts that form the basis for certification under Subpart 242-8 of each monitor at each unit at the source, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 242-8 of this Part, if any, have changed; and

(5) if a change is required to be reported under paragraph

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 50: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 242-8.5

Item 50.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 50.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Recordkeeping and Reporting (6NYCRR Part 242-8.5)

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

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

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

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

(1) The CO₂ authorized account representative shall

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

report the CO₂ mass emissions data and heat input data for the CO₂ budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

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

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

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR part 75, including the quality assurance procedures and specifications;

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 51: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 251.3 (b)

Item 51.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: N-A0005

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

Emission Unit: N-A0006

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 51.2:

Compliance Demonstration shall include the following monitoring:

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

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 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 MW hour gross electrical output (output-based limit) for each separate fossil fuel fired. The owner or operator must maintain all records associated with these requirements on site or at a location acceptable to the Department for a minimum of five years.

Parameter Monitored: CARBON DIOXIDE

Upper Permit Limit: 180 pounds per million Btus

Monitoring Frequency: ANNUALLY

Averaging Method: CALENDAR YEAR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 52: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 251.6 (f)**Item 52.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 52.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators that choose not to demonstrate compliance with the provisions in subdivision 251.3(b) of

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086

this Part through the use of a CEM may utilize an alternative monitoring plan as approved by the Department.

The owners or operators may submit their annual reports under one of the following provisions:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Permit ID: 2-6102-00086/00011

Facility DEC ID: 2610200086