



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6301-00191/00003  
Mod 0 Effective Date: 05/29/2009 Expiration Date: 05/28/2014  
Mod 1 Effective Date: 10/04/2010 Expiration Date: 05/28/2014

Permit Issued To: ASTORIA GAS TURBINE POWER LLC  
4401 VICTORY BLVD  
STATEN ISLAND, NY 10314

Contact: JOHN ROBERTSON  
NRG-ARTHUR KILL GENERATING INC  
4401 VICTORY BLVD  
STATEN ISLAND, NY 10314  
(718) 390-2775

Facility: ASTORIA GAS TURBINE POWER  
31-01 20TH AVE  
ASTORIA, NY 11105

Contact: ALLAN FILIPPI  
NRG ASTORIA GAS TURBINE POWER LLC  
4401 VICTORY BLVD  
STATEN ISLAND, NY 10314  
(718) 390-2734

Description:  
The Repowering Project will remove the existing 31 Westinghouse and Pratt & Whitney simple cycle combustion turbines, and replace them with four combined cycle combustion turbines. The Repowering Project will be conducted in two phases. In Phase I, the seven existing Westinghouse combustion turbines will be removed and replaced with two GE Frame 7FA combined cycle combustion turbines. In Phase II, the existing 24 Pratt & Whitney combustion turbines will be removed and replaced with two GE Frame 7FA combined cycle combustion turbines. The GE Frame 7FA units are primarily gas fired with limited oil backup. The project will replace the current 600 megawatts (MW) of electrical generation capacity with 1040 MW of electrical generation capacity, with no significant net air emission increases for most criteria and non-criteria air pollutants; emissions of NOx and CO will be significantly decreased.



**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2630100191**



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:            JOHN J FERGUSON  
                                          625 BROADWAY  
                                          ALBANY, NY 12233

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



**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.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
  - Applications for permit renewals, modifications and transfers
  - Permit modifications, suspensions or revocations by the Department
  - Permit modifications, suspensions or revocations by the Department

**Facility Level**

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



**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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

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



submitted prior to actual transfer of ownership.

**Condition 1-1: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-1.1:**

The Department reserves the right 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.

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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: ASTORIA GAS TURBINE POWER LLC  
4401 VICTORY BLVD  
STATEN ISLAND, NY 10314

Facility: ASTORIA GAS TURBINE POWER  
31-01 20TH AVE  
ASTORIA, NY 11105

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

Mod 0 Permit Effective Date: 05/29/2009

Permit Expiration Date: 05/28/2014

Mod 1 Permit Effective Date: 10/04/2010

Permit Expiration Date: 05/28/2014



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
  - 1-1 6 NYCRR 215.2: Open Fires - Prohibitions
  - 10 6 NYCRR 200.7: Maintenance of Equipment
  - 11 6 NYCRR 201-1.7: Recycling and Salvage
  - 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
  - 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
  - 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
  - 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
  - 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
  - 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
  - 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
  - 1-2 6 NYCRR 202-1.1: Required Emissions Tests
  - 19 6 NYCRR 202-1.1: Required Emissions Tests
  - 20 6 NYCRR 211.3: Visible Emissions Limited
  - 21 40 CFR Part 68: Accidental release provisions.
  - 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
  - 23 6 NYCRR Subpart 201-6: Emission Unit Definition
    - 1-3 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-4 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-5 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-6 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-7 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-8 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-9 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-10 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-11 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-12 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-13 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-14 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-15 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-16 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-17 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-18 6 NYCRR Subpart 201-6: Compliance Certification
    - 1-19 6 NYCRR 201-6.5 (g): Non Applicable requirements



- 1-20 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*1-21 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 24 6 NYCRR 202-1.1: Required Emissions Tests - Facility Level
- 25 6 NYCRR 204-2.1: Submissions to the Department.
- 26 6 NYCRR 204-4.1: Compliance Certification
- 27 6 NYCRR 204-7.1: Submission of NOx allowance transfers.
- 28 6 NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 29 6 NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 30 6 NYCRR 204-8.2: Compliance Certification
- 31 6 NYCRR 204-8.3: Out of control periods.
- 32 6 NYCRR 204-8.4: Compliance Certification
- 33 6 NYCRR Part 207: Compliance Certification
- 34 6 NYCRR 225-1.7 (c): Compliance Certification
- 35 6 NYCRR 225-1.8 (d): Sampling, compositing, and analysis of fuel samples
- 36 6 NYCRR 227-1.3 (a): Compliance Certification
- 37 6 NYCRR 227-2.5 (b): Compliance Certification
- 1-22 6 NYCRR 243-1.6 (a): Permit Requirements
- 1-23 6 NYCRR 243-1.6 (b): Monitoring requirements
- 38 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
- 39 6 NYCRR 243-1.6 (d): Excess emission requirements
- 40 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
- 41 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
- 1-24 6 NYCRR 243-2.4: Certificate of representation
- 42 6 NYCRR 243-8.1: General requirements
- 43 6 NYCRR 243-8.1: Prohibitions
- 44 6 NYCRR 243-8.3: Out of control periods
- 45 6 NYCRR 243-8.5 (d): Quarterly reports
- 46 6 NYCRR 243-8.5 (e): Compliance certification
- 47 6 NYCRR Subpart 244-1: CAIR General and Permit Requirements
- 1-25 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
- 48 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General Conditions
- 49 6 NYCRR Subpart 244-2: Designated CAIR Representative
- 1-26 6 NYCRR Subpart 244-8: Compliance Certification
- 50 6 NYCRR Subpart 244-8: Compliance Certification
- 51 6 NYCRR Subpart 244-8: Compliance Certification
- 1-27 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
- 52 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
- 53 6 NYCRR Subpart 245-2: Designated CAIR Representative
- 1-28 6 NYCRR Subpart 245-8: Compliance Certification
- 54 6 NYCRR Subpart 245-8: Compliance Certification
- 1-29 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 1-30 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 1-31 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 1-32 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 1-33 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 1-34 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 1-35 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or



Local Agency

- 1-36 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 1-37 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 1-38 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 1-39 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 1-40 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 1-41 40CFR 60.9, NSPS Subpart A: Availability of information.
- 1-42 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 1-43 40CFR 60.12, NSPS Subpart A: Circumvention.
- 1-44 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 1-45 40CFR 60.14, NSPS Subpart A: Modifications.
- 1-46 40CFR 60.15, NSPS Subpart A: Reconstruction
- 1-47 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

**Emission Unit Level**

- 55 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 56 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=A-00005**

- 57 6 NYCRR 227-2.6 (c): Compliance Certification

**EU=A-00005,Proc=GTD**

- 58 6 NYCRR 200.6: Compliance Certification
- 59 6 NYCRR 225.1 (a) (3): Compliance Certification
- 60 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-00001**

- 1-48 6 NYCRR Subpart 201-6: Compliance Certification
- 1-49 40CFR 60.4365(a), NSPS Subpart KKKK: Compliance Certification

**EU=U-00001**

- 1-50 40CFR 60.4385, NSPS Subpart KKKK: Definition of excess emissions and monitoring downtime for sulfur dioxide
- 1-51 40CFR 60.4395, NSPS Subpart KKKK: Reporting requirements

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 61 ECL 19-0301: Contaminant List
- 1-52 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 62 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 1-53 6 NYCRR 211.2: Air pollution prohibited
- 63 6 NYCRR 211.2: Air pollution prohibited
- 1-54 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
- 1-55 6 NYCRR 242-1.5: Compliance Demonstration
- 1-56 6 NYCRR 242-1.5: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* 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: Emergency Defense - 6 NYCRR 201-1.5**

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/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 corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/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 upset provision contained in any applicable requirement.

**Item B: 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 C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (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 D: Certification by a Responsible Official - 6 NYCRR 201-6.3 (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 E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (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 F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (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 H: Property Rights - 6 NYCRR 201-6.5 (a) (6)**

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



**Item I: Severability - 6 NYCRR 201-6.5 (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 J: Permit Shield - 6 NYCRR 201-6.5 (g)**

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- 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 K: Reopening for Cause - 6 NYCRR 201-6.5 (i)**

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is



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 this 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 Part 201-6.7 and Part 621.

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

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

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

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

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

**Item L: 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 M: Federally Enforceable Requirements - 40 CFR 70.6 (b)**  
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (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 72-0302.

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (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 201-6.3 of this Part 201.

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (c) (2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**

**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (c) (3) (ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum



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

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

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

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

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

(4) This permit may contain a more stringent reporting 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 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2009.  
Subsequent reports are due every 6 calendar month(s).



**Condition 6: Compliance Certification**  
Effective between the dates of 05/29/2009 and 05/28/2014

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; 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 compliance certifications shall be submitted to

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

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

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring  
and Enforcement  
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 1/30/2010.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

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

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 8.1:**

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

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Part 215**

**Item 9.1:**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**Condition 1-1: Open Fires - Prohibitions**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 1-1.1:**

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 1-1.2**

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

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous



agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.

- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

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

**Condition 10: Maintenance of Equipment**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage**





**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 11.1:**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**

**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 13.1:**

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source 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 which contains emission sources or units subject to 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.

**Condition 14: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 14.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source 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 which contains emission sources or units subject to 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.

**Condition 15: Standard Requirement - Provide Information**

**Effective between the dates of 05/29/2009 and 05/28/2014**



**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (4)**

**Item 15.1:**

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

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (8)**

**Item 16.1:**

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

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

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (d) (5)**

**Item 17.1:**

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 18: Off Permit Changes**



**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (6)**

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

**Condition 1-2: Required Emissions Tests**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-2.1:**

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

**Condition 19: Required Emissions Tests**

**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**

**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 211.3**



**Item 20.1:**

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 21: Accidental release provisions.**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 21.1:**

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 22: Recycling and Emissions Reduction**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 22.1:**

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 23: Emission Unit Definition**  
**Effective between the dates of 05/29/2009 and 05/28/2014**



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

**Item 23.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit consists of 7 Westinghouse simple cycle fuel oil only fired combustion turbines, and 24 Pratt & Whitney gas or oil fired simple cycle combustion turbines. The existing 31 simple cycle combustion turbines will be replaced with 4 combine cycle combustion turbines in two phases. Phase I of the proposed facility project will remove the 7 existing Westinghouse combustion turbines and replace them with two CC-Fast turbines primarily gas fired with limited oil backup. Phase II will remove the existing 24 Pratt & Whitney combustion turbines and replace them with two CC-Fast turbines primarily gas fired with limited oil backup.

Building(s): BER1  
BER2  
BER3  
BER4  
GTFAC

**Item 23.2(From Mod 0):**

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

Emission Unit: A-00005

Emission Unit Description:

This emission unit contains 31 simple cycle combustion turbines and seven starting engines. There are 12 sets of 2 turbines / generator and they are listed as A & B. These sets burn natural gas or distillate. There are seven additional turbines; 5, 7, 8, and 10 through 13, which burn only distillate oil and have diesel starter engines.

Building(s): GTFAC

**Condition 1-3: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-3.1:**

The Compliance Certification activity will be performed for the facility:



The Compliance Certification applies to:

|                                        |                       |
|----------------------------------------|-----------------------|
| Emission Unit: U-00001                 | Emission Point: BER01 |
| Emission Unit: U-00001                 | Emission Point: BER02 |
| Emission Unit: U-00001                 | Emission Point: BER03 |
| Emission Unit: U-00001                 | Emission Point: BER04 |
| Emission Unit: U-00001<br>Process: NG1 | Emission Point: BER01 |
| Emission Unit: U-00001<br>Process: NG1 | Emission Point: BER02 |
| Emission Unit: U-00001<br>Process: NG1 | Emission Point: BER03 |
| Emission Unit: U-00001<br>Process: NG1 | Emission Point: BER04 |

**Item 1-3.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

After the facility has completed construction and commenced operation of the Phase II combustion turbines (two GE Frame 7FA turbines), each combustion turbine will be limited to 8460 hours per year of operation on natural gas. The facility will keep a log of the hours per year of operation per combustion turbine on-site. These records will be kept for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 8460 hours per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-4: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-4.1:**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6301-00191/00003**

**Facility DEC ID: 2630100191**



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

|                                        |                       |
|----------------------------------------|-----------------------|
| Emission Unit: U-00001                 | Emission Point: BER01 |
| Emission Unit: U-00001                 | Emission Point: BER02 |
| Emission Unit: U-00001<br>Process: NG1 | Emission Point: BER01 |
| Emission Unit: U-00001<br>Process: NG1 | Emission Point: BER02 |

**Item 1-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The Phase I combustion turbines (two GE Frame 7FA turbines) will be limited to 6062 hours per year of operation on natural gas. The facility will keep a log of the hours per year total operation per combustion turbine on-site. These records will be kept for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 6082 hours per year

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-5: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-5.1:**

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

|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: BER01 |
| Emission Unit: U-00001 | Emission Point: BER02 |
| Emission Unit: U-00001 | Emission Point: BER03 |
| Emission Unit: U-00001 | Emission Point: BER04 |



Regulated Contaminant(s):  
CAS No: 0NY075-02-5 PM 2.5

**Item 1-5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility will show compliance with the 0.0120 lb/mmBtu limit for PM 2.5 through an annual compliance test. The facility will submit testing protocols to the Department for approval at least 90 days prior to each compliance test. The facility will submit the compliance test results to the Department for approval within 30 days after the test.

The 0.0120 lb/mmBtu limit applies only during steady state periods of operation when the combustion turbine is firing oil. The facility will maintain the test result records on-site for a minimum of five years.

Parameter Monitored: PM 2.5

Upper Permit Limit: 0.0120 pounds per million Btus

Reference Test Method: Proposed EPA Other Test Method 28

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-6: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-6.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: BER01

Emission Unit: U-00001 Emission Point: BER02

Emission Unit: U-00001 Emission Point: BER03

Emission Unit: U-00001 Emission Point: BER04

Regulated Contaminant(s):  
CAS No: 0NY075-02-5 PM 2.5





**Item 1-6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility will show compliance with the 0.0044 lb/mmBtu limit for PM 2.5 through an annual compliance test. The facility will submit testing protocols to the Department for approval at least 90 days prior to each compliance test. The facility will submit the compliance test results to the Department for approval within 30 days after the test.

The 0.0044 lb/mmBtu limit applies only during steady state periods of operation when the combustion turbine is firing (with or without the duct burner) natural gas. The facility will maintain the test result records on-site for a minimum of five years.

Parameter Monitored: PM 2.5

Upper Permit Limit: 0.0044 pounds per million Btus

Reference Test Method: Proposed EPA Other Test Method 28

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-7: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-7.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: BER01 |
| Emission Unit: U-00001 | Emission Point: BER02 |
| Emission Unit: U-00001 | Emission Point: BER03 |
| Emission Unit: U-00001 | Emission Point: BER04 |

Regulated Contaminant(s):  
CAS No: 007664-41-7 AMMONIA

**Item 1-7.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility must install, calibrate, maintain, and operate continuous emissions monitors for ammonia. The 5.0 ppmvd limit applies during all loads of operation regardless of the fuel type being fired or duct burner operation. The facility will maintain the records on-site for a minimum of five years.

Manufacturer Name/Model Number: Ammonia CEM

Parameter Monitored: AMMONIA

Upper Permit Limit: 5.0 parts per million by volume  
(dry, corrected to 15% O<sub>2</sub>)

Reference Test Method: 40 CFR 60 Appendices B & F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-8: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-8.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Emission Point: BER01

Emission Unit: U-00001

Emission Point: BER02

Emission Unit: U-00001

Emission Point: BER03

Emission Unit: U-00001

Emission Point: BER04

Regulated Contaminant(s):

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

**Item 1-8.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility must install, calibrate, maintain, and operate continuous emissions monitors for oxides of nitrogen. The 0.0315 lb/mmBtu limit applies during periods of either steady state operation or shutdown when the combustion turbine is firing oil. The facility will



maintain the records on-site for a minimum of five years.

Manufacturer Name/Model Number: NOx CEM  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 0.0315 pounds per million Btus  
Reference Test Method: 40 CFR 60 Appendices B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-9: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-9.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-9.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility will notify the Department within 30 days of the shutdown and permanent removal of the simple cycle combustion turbines.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-10: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-10.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: BER01 |
| Emission Unit: U-00001 | Emission Point: BER02 |
| Emission Unit: U-00001 | Emission Point: BER03 |
| Emission Unit: U-00001 | Emission Point: BER04 |

**Item 1-10.2:**

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility is only allowed to fire the duct burners on natural gas. The duct burners are only allowed to fire when the combustion turbine is firing on natural gas. The duct burners are not allowed to fire if the combustion turbines are not firing.

The facility must maintain records detailing the times and dates of duct burner firing and the amount of fuel that the duct burners fired. The facility will maintain the records on-site for a minimum of five years.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-11: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-11.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Emission Point: BER01

Emission Unit: U-00001

Emission Point: BER02

Emission Unit: U-00001

Emission Point: BER03

Emission Unit: U-00001

Emission Point: BER04

Regulated Contaminant(s):

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

**Item 1-11.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility must install, calibrate, maintain, and operate continuous emissions monitors for oxides of nitrogen. The 0.0101 lb/mmBtu limit applies during periods of either steady state operation or shutdown when the combustion turbine is firing (with or without the duct burner) natural gas. The facility will maintain the

**New York State Department of Environmental Conservation**

**Permit ID: 2-6301-00191/00003**

**Facility DEC ID: 2630100191**



records on-site for a minimum of five years.

Manufacturer Name/Model Number: NOx CEM  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 0.0101 pounds per million Btus  
Reference Test Method: 40 CFR 60 Appendices B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-12: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-12.1:**

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

Emission Unit: U-00001                      Emission Point: BER01

Emission Unit: U-00001                      Emission Point: BER02

Emission Unit: U-00001                      Emission Point: BER03

Emission Unit: U-00001                      Emission Point: BER04

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

**Item 1-12.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall not exceed 150 pounds of CO per start-up of each combustion turbine. The facility will maintain start-up excess emission records on-site for a minimum of five years.

Manufacturer Name/Model Number: CO CEM  
Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 150 pounds  
Reference Test Method: 40 CFR 60 Appendices B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-13: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-13.1:**

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

|                                        |                       |
|----------------------------------------|-----------------------|
| Emission Unit: U-00001                 | Emission Point: BER01 |
| Emission Unit: U-00001                 | Emission Point: BER02 |
| Emission Unit: U-00001<br>Process: OL1 | Emission Point: BER01 |
| Emission Unit: U-00001<br>Process: OL1 | Emission Point: BER02 |

**Item 1-13.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The Phase I combustion turbines (two GE Frame 7FA turbines) will be limited to 50 hours per year of operation on oil. The facility will keep a log of the oil usage per combustion turbine on-site. These records will be kept for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 50 hours per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-14: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-14.1:**

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



|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: BER01 |
| Emission Unit: U-00001 | Emission Point: BER02 |
| Emission Unit: U-00001 | Emission Point: BER03 |
| Emission Unit: U-00001 | Emission Point: BER04 |

**Item 1-14.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Start-up is defined as the 30 minute period of time after the combustion turbine start "signal" is initiated. The facility will maintain a log of the date and time that each start-up was initiated for each combustion turbine. The facility will also record the duration of each start-up per occurrence. This log must be made available to the Department for review upon the Department's request. The records in this log must be kept on-site for a minimum of five years.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER  
OCCURRENCE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-15: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-15.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: BER01 |
| Emission Unit: U-00001 | Emission Point: BER02 |
| Emission Unit: U-00001 | Emission Point: BER03 |
| Emission Unit: U-00001 | Emission Point: BER04 |

Regulated Contaminant(s):

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



**Item 1-15.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility must install, calibrate, maintain, and operate continuous emissions monitors for oxides of nitrogen. The 2.7 ppmvd limit applies only during steady state periods of operation when the combustion turbine is firing (with or without the duct burner) natural gas. The facility will maintain the records on-site for a minimum of five years.

Manufacturer Name/Model Number: NOx CEM

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 2.7 parts per million by volume  
(dry, corrected to 15% O2)

Reference Test Method: 40 CFR 60 Appendices B & F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-16: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-16.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

|                                        |                       |
|----------------------------------------|-----------------------|
| Emission Unit: U-00001                 | Emission Point: BER01 |
| Emission Unit: U-00001                 | Emission Point: BER02 |
| Emission Unit: U-00001                 | Emission Point: BER03 |
| Emission Unit: U-00001                 | Emission Point: BER04 |
| Emission Unit: U-00001<br>Process: OL1 | Emission Point: BER01 |
| Emission Unit: U-00001<br>Process: OL1 | Emission Point: BER02 |
| Emission Unit: U-00001<br>Process: OL1 | Emission Point: BER03 |



**New York State Department of Environmental Conservation**

**Permit ID: 2-6301-00191/00003**

**Facility DEC ID: 2630100191**



Emission Unit: U-00001  
Process: OL1

Emission Point: BER04

**Item 1-16.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

After the facility has completed construction and commenced operation of the Phase II combustion turbines (two GE Frame 7FA turbines), each combustion turbine will be limited to 100 hours per year of operation on oil. The facility will keep a log of the oil usage per combustion turbine on-site. These records will be kept for a minimum of five years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 100 hours per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-17: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-17.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Emission Point: BER01

Emission Unit: U-00001

Emission Point: BER02

Emission Unit: U-00001

Emission Point: BER03

Emission Unit: U-00001

Emission Point: BER04

Regulated Contaminant(s):

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

**Item 1-17.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



The facility shall not exceed 100 pounds of NOx per start-up of each combustion turbine. The facility will maintain start-up excess emission records on-site for a minimum of five years.

Manufacturer Name/Model Number: NOx CEM  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 100 pounds  
Reference Test Method: 40 CFR 60 Appendices B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-18: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-18.1:**

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

|                                                  |                       |
|--------------------------------------------------|-----------------------|
| Emission Unit: U-00001                           | Emission Point: BER01 |
| Emission Unit: U-00001                           | Emission Point: BER02 |
| Emission Unit: U-00001                           | Emission Point: BER03 |
| Emission Unit: U-00001                           | Emission Point: BER04 |
| Regulated Contaminant(s):<br>CAS No: 0NY210-00-0 | OXIDES OF NITROGEN    |

**Item 1-18.2:**

Compliance Certification shall include the following monitoring:

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

The facility must install, calibrate, maintain, and operate continuous emissions monitors for oxides of nitrogen. The 8.0 ppmvd limit applies only during steady state periods of operation when the combustion turbine is firing oil. The facility will maintain the records on-site for a minimum of five years.

Manufacturer Name/Model Number: NOx CEM  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 8.0 parts per million by volume

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



(dry, corrected to 15% O2)  
Reference Test Method: 40 CFR 60 Appendices B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-19: Non Applicable requirements**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (g)**

**Item 1-19.1:**

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

(From Mod 1) 6 NYCRR 231-3.2

Reason: The facility is replacing the existing simple cycle combustion turbines with newer larger more effecient combined cycle combustion turbines. The facility is using the reductions from the shutdown of the existing combustion turbines to net out of Part 231 applicability. Therefore, the project will not be subject to the requirements of new source review under Part 231.

**Condition 1-20: Facility Permissible Emissions**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 1-20.1:**

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: 0NY075-02-5 (From Mod 1) PTE: 321,400 pounds  
per year

Name: PM 2.5

**Condition 1-21: Capping Monitoring Condition**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 1-21.1:**

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 231-6

**Item 1-21.2:**

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

**Item 1-21.3:**

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 1-21.4:**

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 1-21.5:**

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 1-21.6:**

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

|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: BER01 |
| Emission Unit: U-00001 | Emission Point: BER02 |
| Emission Unit: U-00001 | Emission Point: BER03 |
| Emission Unit: U-00001 | Emission Point: BER04 |
| Emission Unit: U-00001 | Emission Point: GT005 |
| Emission Unit: U-00001 | Emission Point: GT007 |
| Emission Unit: U-00001 | Emission Point: GT008 |
| Emission Unit: U-00001 | Emission Point: GT010 |
| Emission Unit: U-00001 | Emission Point: GT011 |
| Emission Unit: U-00001 | Emission Point: GT012 |



|                        |                       |
|------------------------|-----------------------|
| Emission Unit: U-00001 | Emission Point: GT013 |
| Emission Unit: U-00001 | Emission Point: GT21A |
| Emission Unit: U-00001 | Emission Point: GT21B |
| Emission Unit: U-00001 | Emission Point: GT22A |
| Emission Unit: U-00001 | Emission Point: GT22B |
| Emission Unit: U-00001 | Emission Point: GT23A |
| Emission Unit: U-00001 | Emission Point: GT23B |
| Emission Unit: U-00001 | Emission Point: GT24A |
| Emission Unit: U-00001 | Emission Point: GT24B |
| Emission Unit: U-00001 | Emission Point: GT31A |
| Emission Unit: U-00001 | Emission Point: GT31B |
| Emission Unit: U-00001 | Emission Point: GT32A |
| Emission Unit: U-00001 | Emission Point: GT32B |
| Emission Unit: U-00001 | Emission Point: GT33A |
| Emission Unit: U-00001 | Emission Point: GT33B |
| Emission Unit: U-00001 | Emission Point: GT34A |
| Emission Unit: U-00001 | Emission Point: GT34B |
| Emission Unit: U-00001 | Emission Point: GT41A |
| Emission Unit: U-00001 | Emission Point: GT41B |
| Emission Unit: U-00001 | Emission Point: GT42A |
| Emission Unit: U-00001 | Emission Point: GT42B |
| Emission Unit: U-00001 | Emission Point: GT43A |
| Emission Unit: U-00001 | Emission Point: GT43B |
| Emission Unit: U-00001 | Emission Point: GT44A |
| Emission Unit: U-00001 | Emission Point: GT44B |

Regulated Contaminant(s):



CAS No: 0NY075-02-5 PM 2.5

**Item 1-21.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility is proposing to limit emissions of fine particulates (PM 2.5) below the significant increase threshold of 10 TPY. The baseline PM 2.5 emissions have been calculated to be 150.74 TPY. The proposed increase is 9.96 TPY. By accepting a limit of 160.7 TPY of PM 2.5, the facility will net out of Part 231 NSR requirements.

The facility will show compliance with the 160.7 TPY limit for PM 2.5 through an annual compliance test. The annual compliance test will start after the Phase I modification to add the first two new combustion turbines is complete. These annual tests will be conducted for three years. The Department will review the three years of data and determine if the duration between compliance tests warrants an extension (if the Phase II combustion turbines are also installed and operating during this time frame, their test data must be included the data used for Department review).

The facility will submit testing protocols to the Department for approval at least 90 days prior to each compliance test. The facility will submit the compliance test results to the Department for approval within 30 days after the test.

The facility will maintain the test result records on-site for a minimum of five years.

Parameter Monitored: PM 2.5

Upper Permit Limit: 160.7 tons per year

Reference Test Method: Proposed EPA Other Test Method 28

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 24: Required Emissions Tests - Facility Level  
Effective between the dates of 05/29/2009 and 05/28/2014**

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



**Item 24.1:**

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

**Condition 25: Submissions to the Department.**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-2.1**

**Item 25.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.**

**Condition 26: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-4.1**

**Item 26.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx Budget units at a source are subject to the NOx Budget emissions limitation, the NOx authorized account representative of the source shall submit to the Department and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 27: Submission of NOx allowance transfers.**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-7.1**

**Item 27.1: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:**

- (a) The numbers identifying both the transferor and transferee accounts;
- (b) A specification by serial number of each NOx allowance to be transferred; and
- (c) The printed name and signature of the NOx authorized account representative of the



transferor account and the date signed.

**Condition 28: Requirements for installation, certification, and data accounting.**

**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-8.1**

**Item 28.1: The owner or operator of each NOx Budget unit must meet the following requirements.** These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

- (1) Install all monitoring systems required under this Subpart for monitoring NOx mass. This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NOx allowance allocations.
- (3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.
- (4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

**Condition 29: Requirements for recertification of monitoring systems.**

**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-8.2**

**Item 29.1: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b).** Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

**Condition 30: Compliance Certification**

**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-8.2**

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 31: Out of control periods.**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-8.3**

**Item 31.1: Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.**

**Condition 32: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 204-8.4**

**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 Authorized Account Representative for a NOx Budget unit shall submit written notice to the Department and the USEPA Administrator in accordance with the requirements of this subpart as follows:

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department ( one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office. All Authorized Account Representative changes shall be sent to the NYSDEC central office.

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



All quarterly emission data shall be electronically filed with the USEPA Clean Air Markets Division with a copy (disc or hard copy) to the NYSDEC offices.

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division  
401 M Street SW (6204J)  
Washington D.C. 20460

CEM Coordinator  
USEPA-Region 2  
2890 Woodbridge Avenue  
Edison, N.J. 08837

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring and Enforcement  
625 Broadway, 2nd Floor  
Albany N.Y. 12233-3258

AAR changes should be sent to the attention of:

NYSDEC  
Stationary Source Planning Section  
Bureau of Air Quality Planning  
625 Broadway, 2nd Floor  
Albany NY 12233-3251

The address for the RAPCE is as follows:

Hunters Point Plaza  
47-20 21st Street  
Long Island City, NY 11101-5407

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 33: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Part 207**

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Astoria Gas Turbine Power LLC (NRG) must implement the actions set forth in their Episode Action Plan, dated May 6, 2002, when the Commissioner determines that an air pollution episode exists and must indicate the actions taken at the facility to the Region 2, Regional Air Pollution Control Engineer of the Department, via phone call, within one day of the episode, and by submitting a written report on the actions taken at the facility within 5 days of the episode.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 34: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 225-1.7 (c)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Part 225-1.7(c) requires that measurements must be made daily of the rate of each fuel burned. Also, the facility must measure the gross heat content and ash content of each fuel burned (determined for each fuel delivery), and the average electrical output (daily) and hourly generation rate. This information must be retained by the source owner for a period of three years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**Condition 35: Sampling, compositing, and analysis of fuel samples**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 225-1.8 (d)**

**Item 35.1:**

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.



**Condition 36: Compliance Certification**  
Effective between the dates of 05/29/2009 and 05/28/2014

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

**Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 36.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: MINIMUM - ONCE PER CALENDAR YEAR

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**Condition 37: Compliance Certification**  
Effective between the dates of 05/29/2009 and 05/28/2014

**Applicable Federal Requirement:6 NYCRR 227-2.5 (b)**

**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:

NRG Energy Inc.'s system-wide averaging of the most recent NOx emissions from its facilities in New York State (including the Astoria Gas Turbine Power facility) must be performed in accordance with NOx RACT System-wide Compliance Plan submitted by NRG Energy, Inc and approved by the Department. Records will be kept in accordance

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



with the Plan and compliance will be demonstrated on a 24 hour basis during the Ozone season and on a 30 day rolling average for the rest of the year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**Condition 1-22: Permit Requirements**

**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (a)**

**Item 1-22.1:**

The CAIR designated representative of each CAIR NO<sub>x</sub> Ozone Season source shall:

(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

The owners and operators of each CAIR NO<sub>x</sub> Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.

**Condition 1-23: Monitoring requirements**

**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (b)**

**Item 1-23.1:**

The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NO<sub>x</sub> Ozone Season source with the CAIR NO<sub>x</sub>



Ozone Season emissions limitation under subdivision (c) of this section.

**Condition 38: NOx Ozone Season Emission Requirements**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (c)**

**Item 38.1:**

As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NOx ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NOx Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.

CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under section 243-1.5 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

A CAIR NOx Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

**Condition 39: Excess emission requirements**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (d)**

**Item 39.1:**

If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:



(1) the owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

(2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

**Condition 40: Recordkeeping and reporting requirements**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-1.6 (e)**

**Item 40.1:**

Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.

**Condition 41: Authorization and responsibilities of CAIR designated representative**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-2.1**

**Item 41.1:**

Except as provided under section 243-2.2, each CAIR NO<sub>x</sub> Ozone Season source, including all CAIR NO<sub>x</sub> Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NO<sub>x</sub> Ozone Season Trading Program concerning the source or any CAIR NO<sub>x</sub> Ozone Season unit at the source.

The CAIR designated representative of the CAIR NO<sub>x</sub> Ozone Season source shall be selected by

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



an agreement binding on the owners and operators of the source and all CAIR NO<sub>x</sub> Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NO<sub>x</sub> Ozone Season source represented and each CAIR NO<sub>x</sub> Ozone Season unit at the source in all matters pertaining to the CAIR NO<sub>x</sub> Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

No CAIR permit will be issued, no emissions data reports will be accepted, and no CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System account will be established for a CAIR NO<sub>x</sub> Ozone Season unit at a source, until the Administrator has received a complete certificate of representation under section 243-2.4 for a CAIR designated representative of the source and the CAIR NO<sub>x</sub> Ozone Season units at the source.

Each submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO<sub>x</sub> Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

**Condition 1-24: Certificate of representation**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-2.4**

**Item 1-24.1:**

Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

**Condition 42: General requirements**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-8.1**

**Item 42.1:**

The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting



# New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NOx Ozone Season unit shall:

- (1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph (a)(1) of this section; and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 43: Prohibitions**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR 243-8.1**

**Item 43.1:**

No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NOx Ozone Season unit shall operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NOx Ozone Season unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75.

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



- (i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
- (ii) the owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or
- (iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

**Condition 44: Out of control periods**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-8.3**

**Item 44.1:**

Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to, 40 CFR Part 75.

**Condition 45: Quarterly reports**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR 243-8.5 (d)**

**Item 45.1:**

The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NO<sub>x</sub> Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NO<sub>x</sub> emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NO<sub>x</sub> mass emissions) for such unit for the entire year and shall report the NO<sub>x</sub> mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

(i) for a unit that commences commercial operation before July 1, 2007, the calendar quarter covering May 1, 2008 through June 30, 2008;

(ii) for a unit that commences commercial operation on or after July 1, 2007, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 243-8.1(b), unless that quarter is the third or fourth quarter of 2007 or the first quarter of 2008, in which case reporting shall commence in the quarter covering May 1, 2008 through June 30, 2008.

The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

For CAIR NO<sub>x</sub> Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

**Condition 46: Compliance certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR 243-8.5 (e)**

**Item 46.1:**

The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) 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:

- (1) 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;
- (2) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions; and
- (3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO<sub>x</sub> emission rate and NO<sub>x</sub> concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO<sub>x</sub> emissions.

**Condition 47: CAIR General and Permit Requirements**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR Subpart 244-1**

**Item 47.1:**

- (1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO<sub>x</sub> units at the source during that control period. (244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36))
- (2) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated. (244-1.6(c)(3))
- (3) 'Excess emissions requirements.' If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the CAIR NO<sub>x</sub> source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. (244-1.6(d))

(4) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator:

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program. (244-1.6(e))

**Condition 1-25: CAIR NO<sub>x</sub> Annual Trading Program General Conditions  
Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 244-1**

**Item 1-25.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NO<sub>x</sub> allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO<sub>x</sub> units at the source during that control period. A CAIR NO<sub>x</sub> allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NO<sub>x</sub> unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]

3) If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the CAIR NO<sub>x</sub> source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same



violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d))]

4) Unless otherwise provided, the owners and operators of the CAIR NOx source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Annual Trading Program.

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

**Condition 48: CAIR NOx Annual Trading Program General Conditions  
Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 244-1**

**Item 48.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NOx allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]

3) If a CAIR NOx source emits nitrogen oxides during any control period in excess of the CAIR NOx emissions limitation, the owners and operators of the CAIR NOx source shall surrender the CAIR NOx allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d))]

4) Unless otherwise provided, the owners and operators of the CAIR NOx source shall keep on



site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Annual Trading Program.

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

**Condition 49: Designated CAIR Representative**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR Subpart 244-2**

**Item 49.1:**

1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

**Condition 1-26: Compliance Certification**



Effective between the dates of 10/04/2010 and 05/28/2014

Applicable Federal Requirement:6 NYCRR Subpart 244-8

**Item 1-26.1:**

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

Emission Unit: U-00001  
Process: NG1

Emission Unit: U-00001  
Process: OL1

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

**Item 1-26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

(1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).

(2) The CAIR designated representative shall submit quarterly reports of the the NO<sub>x</sub> mass emissions data and heat input data for each CAIR NO<sub>x</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

(3) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

(4) For CAIR NO<sub>x</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Ozone Season



Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) 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 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions.

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [ 244-8.3(a) ]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO<sub>x</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each





continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NO<sub>x</sub> monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 50: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 244-8**

**Item 50.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NO<sub>x</sub> emissions

(1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).

(2) The CAIR designated representative shall submit quarterly reports of the the NO<sub>x</sub> mass emissions data and heat input data for each CAIR NO<sub>x</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the



date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

(3) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

(4) For CAIR NO<sub>x</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Ozone Season Trading Program, CAIR SO<sub>2</sub> Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO<sub>x</sub> mass emission data, heat input data, and other information required by this Subpart.

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) 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 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NO<sub>x</sub> emission controls and for all hours where NO<sub>x</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO<sub>x</sub> emissions.

(6) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [ 244-8.3(a) ]



(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS  
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 51: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 244-8**

**Item 51.1:**  
The Compliance Certification activity will be performed for the Facility.

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

**Item 51.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Monitoring and Reporting NOx emissions:

- 1) The owners and operators, and to the extent



applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR NO<sub>x</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 244-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or CEMS) in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR NO<sub>x</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 244-1.2. [244-8.1]

2) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NO<sub>x</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NO<sub>x</sub> monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)]

3) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

4) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 244-8.5, the applicable recordkeeping and



reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1). [244-8.5(a)]

5) The owner or operator of a CAIR NOx unit shall comply with requirements of 40 CFR 75.73(c) and (e) for monitoring plans. [244-8.5(b)]

6) The CAIR designated representative shall submit a certification application to the department within 45 days after completing all initial certification or recertification tests required under section 244-8.2, including the information required under 40 CFR 75.63. [244-8.5(c)]

7) The CAIR designated representative shall submit quarterly reports of the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter covering January 1, 2008 through March 31, 2008; unless the unit commences commercial operation on or after July 1, 2007, then quarterly reporting commences with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 244-8.1(b). [244-8.5(d)(1)]

8) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f). [244-8.5(d)(2)]

9) For CAIR NOx units that are also subject to an Acid Rain emissions limitation or the CAIR NOx Ozone Season Trading Program, CAIR SO2 Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NOx mass emission data, heat input data, and other information required by Subpart 244-8. [244-8.5(d)(3)]

10) Compliance certification - The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) 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: [244-8.5(e)]

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

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

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL TOTAL

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**Condition 1-27: CAIR SO2 Trading Program General Provisions  
Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 245-1**

**Item 1-27.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source. A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO2 allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO2 unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO2 source emits sulfur dioxide during any control period in excess of the CAIR SO2 emissions limitation, the owners and operators of the source shall surrender the CAIR SO2 allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO2 source shall keep on site at the source each of the following documents for a period of five years from the date the



document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.

**Condition 52: CAIR SO<sub>2</sub> Trading Program General Provisions  
Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 245-1**

**Item 52.1:**

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO<sub>2</sub> source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source. A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter. [245-1.6(c)(2)]

3) If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the



certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.

**Condition 53: Designated CAIR Representative**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 245-2**

**Item 53.1:**

1) Each CAIR SO<sub>2</sub> source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO<sub>2</sub> Trading Program. The CAIR designated representative of the CAIR SO<sub>2</sub> source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO<sub>2</sub> units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO<sub>2</sub> source represented and each CAIR SO<sub>2</sub> unit at the source in all matters pertaining to the CAIR SO<sub>2</sub> Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.  
[245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO<sub>2</sub> Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO<sub>2</sub> source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."  
[245-2.1(e)]

**Condition 1-28: Compliance Certification**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 245-8**





**Item 1-28.1:**

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

Emission Unit: U-00001  
Process: NG1

Emission Unit: U-00001  
Process: OL1

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

**Item 1-28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO<sub>2</sub> emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO<sub>2</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO<sub>2</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO<sub>2</sub> unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO<sub>2</sub> unit. [245-8.1]

2)The owner or operator of each CAIR SO<sub>2</sub> unit shall:  
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO<sub>2</sub> mass emissions and individual unit heat input (including all systems required to monitor SO<sub>2</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and



(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates. [245-8.1(b)]

(i) For the CAIR SO<sub>2</sub> unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO<sub>2</sub> unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO<sub>2</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

5) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D of or appendix D to 40 CFR Part 75. [245-8.3(a)]



6) The CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 245-8.3, the applicable recordkeeping and reporting requirements in Subparts F and G of 40 CFR Part 75, and the requirements of section 245-2.1(e)(1). [245-8.5(a)]

7) The owner or operator of a CAIR SO<sub>2</sub> unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

8) The CAIR designated representative shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 245-8.2, including the information required under 40 CFR 75.63. [245-8.5(c)]

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

- i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or
- ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.

10) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.64. [245-8.5(d)(2)]

11) For CAIR SO<sub>2</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO<sub>2</sub> mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]



12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) 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: [245-8.5(e)]

- 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; and
- ii) for a unit with add-on SO<sub>2</sub> emission controls and for all hours where SO<sub>2</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO<sub>2</sub> emissions.

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 54: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR Subpart 245-8**

**Item 54.1:**  
The Compliance Certification activity will be performed for the Facility.

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

**Item 54.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Monitoring and Reporting SO<sub>2</sub> emissions:

- 1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO<sub>2</sub> unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40



CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO<sub>2</sub> unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO<sub>2</sub> unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO<sub>2</sub> unit. [245-8.1]

2)The owner or operator of each CAIR SO<sub>2</sub> unit shall:  
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO<sub>2</sub> mass emissions and individual unit heat input (including all systems required to monitor SO<sub>2</sub> concentration, stack gas moisture content, stack gas flow rate, CO<sub>2</sub> or O<sub>2</sub> concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and

(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.  
[245-8.1(b)]

(i) For the CAIR SO<sub>2</sub> unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO<sub>2</sub> unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO<sub>2</sub> mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B



to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

5) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D of or appendix D to 40 CFR Part 75. [245-8.3(a)]

6) The CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 245-8.3, the applicable recordkeeping and reporting requirements in Subparts F and G of 40 CFR Part 75, and the requirements of section 245-2.1(e)(1). [245-8.5(a)]

7) The owner or operator of a CAIR SO<sub>2</sub> unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

8) The CAIR designated representative shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 245-8.2, including the information required under 40 CFR 75.63. [245-8.5(c)]

9) The CAIR designated representative shall submit quarterly reports of the SO<sub>2</sub> mass emissions data and heat input data for each CAIR SO<sub>2</sub> unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or



ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall commence in the quarter covering January 1, 2009 through March 31, 2009.

10) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.64. [245-8.5(d)(2)]

11) For CAIR SO<sub>2</sub> units that are also subject to an Acid Rain emissions limitation or the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO<sub>2</sub> mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) 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: [245-8.5(e)]

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; and

ii) for a unit with add-on SO<sub>2</sub> emission controls and for all hours where SO<sub>2</sub> data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO<sub>2</sub> emissions.

Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL TOTAL  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



**Condition 1-29: EPA Region 2 address.**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-29.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-29.2:**

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

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

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

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

**Condition 1-30: Date of construction notification - If a COM is not used.**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-30.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-30.2:**

Any owner or operator subject to this part shall furnish the Administrator with the following information:



**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 1-31: Recordkeeping requirements.**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-31.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-31.2:**

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

**Condition 1-32: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-32.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: NG1

New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Emission Unit: U-00001

Process: OL1

**Item 1-32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-33: Excess emissions report.**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-33.1:**

This Condition applies to:

New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-33.2:**

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

**Condition 1-34: Facility files for subject sources.**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-34.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-34.2:**

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

**Condition 1-35: Notification Similar to State or Local Agency**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-35.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-35.2:**

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State



or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

**Condition 1-36: Performance testing timeline.**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.8(a), NSPS Subpart A**

**Item 1-36.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-36.2:**

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

**Condition 1-37: Required performance test information.**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.8(c), NSPS Subpart A**

**Item 1-37.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-37.2:**

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

**Condition 1-38: Prior notice.**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.8(d), NSPS Subpart A**

**Item 1-38.1:**

This Condition applies to:

Emission Unit: U00001

New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-38.2:**

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

**Condition 1-39: Performance testing facilities.**

Effective between the dates of 10/04/2010 and 05/28/2014

Applicable Federal Requirement:40CFR 60.8(e), NSPS Subpart A

**Item 1-39.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-39.2:**

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 1-40: Number of required tests.**

Effective between the dates of 10/04/2010 and 05/28/2014

Applicable Federal Requirement:40CFR 60.8(f), NSPS Subpart A

**Item 1-40.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-40.2:**

Each performance test shall consist of three separate runs, at the specified duration required in

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 1-41: Availability of information.**

**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A**

**Item 1-41.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-41.2:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

**Condition 1-42: Opacity standard compliance testing.**

**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A**

**Item 1-42.1:**

This Condition applies to:

Emission Unit: U00001

Process: NG1

Emission Unit: U00001

Process: OL1

**Item 1-42.2:**

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

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

**Condition 1-43: Circumvention.**

**Effective between the dates of 10/04/2010 and 05/28/2014**



**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 1-43.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-43.2:**

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

**Condition 1-44: Monitoring requirements.**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-44.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-44.2:**

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

**Condition 1-45: Modifications.**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 1-45.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001

New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Process: OL1

**Item 1-45.2:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 1-46: Reconstruction**

**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A**

**Item 1-46.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-46.2:**

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

**Condition 1-47: Facility Subject to Title IV Acid Rain Regulations and Permitting**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-47.1:**



New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-47.2: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.**

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

**Condition 55: Emission Point Definition By Emission Unit  
Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 55.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Point: BER01  
Height (ft.): 250 Diameter (in.): 216  
NYTMN (km.): 4515.6 NYTME (km.): 592.323 Building: BER1

Emission Point: BER02  
Height (ft.): 250 Diameter (in.): 216  
NYTMN (km.): 4515.6 NYTME (km.): 592.323 Building: BER2

Emission Point: BER03  
Height (ft.): 250 Diameter (in.): 216  
NYTMN (km.): 4515.485 NYTME (km.): 592.424 Building: BER3

Emission Point: BER04  
Height (ft.): 250 Diameter (in.): 216  
NYTMN (km.): 4515.485 NYTME (km.): 592.424 Building: BER4

Emission Point: GT005  
Height (ft.): 45 Length (in.): 94 Width (in.): 127  
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

Emission Point: GT007  
Height (ft.): 45 Length (in.): 94 Width (in.): 127  
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

Emission Point: GT008  
Height (ft.): 45 Length (in.): 94 Width (in.): 127  
NYTMN (km.): 4515.7 NYTME (km.): 592.3 Building: GTFAC

# New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



|                       |                    |                  |  |
|-----------------------|--------------------|------------------|--|
| Emission Point: GT010 |                    |                  |  |
| Height (ft.): 45      | Length (in.): 94   | Width (in.): 127 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.3 | Building: GTFAC  |  |
| Emission Point: GT011 |                    |                  |  |
| Height (ft.): 45      | Length (in.): 94   | Width (in.): 127 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.3 | Building: GTFAC  |  |
| Emission Point: GT012 |                    |                  |  |
| Height (ft.): 45      | Length (in.): 94   | Width (in.): 127 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.3 | Building: GTFAC  |  |
| Emission Point: GT013 |                    |                  |  |
| Height (ft.): 45      | Length (in.): 94   | Width (in.): 127 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.3 | Building: GTFAC  |  |
| Emission Point: GT21A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT21B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT22A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT22B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT23A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT23B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT24A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.5   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT24B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.6 | Building: GTFAC  |  |
| Emission Point: GT31A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.6   | NYTME (km.): 592.5 | Building: GTFAC  |  |

# New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



|                       |                    |                  |  |
|-----------------------|--------------------|------------------|--|
| Emission Point: GT31B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.6   | NYTME (km.): 592.5 | Building: GTFAC  |  |
| Emission Point: GT32A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.6   | NYTME (km.): 592.5 | Building: GTFAC  |  |
| Emission Point: GT32B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.6   | NYTME (km.): 592.5 | Building: GTFAC  |  |
| Emission Point: GT33A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT33B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT34A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT34B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT41A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT41B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT42A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT42B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT43A |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |
| Emission Point: GT43B |                    |                  |  |
| Height (ft.): 38      | Length (in.): 120  | Width (in.): 160 |  |
| NYTMN (km.): 4515.7   | NYTME (km.): 592.4 | Building: GTFAC  |  |

New York State Department of Environmental Conservation

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Emission Point: GT44A
Height (ft.): 38 Length (in.): 120 Width (in.): 160
NYTMN (km.): 4515.7 NYTME (km.): 592.4 Building: GTFAC

Emission Point: GT44B
Height (ft.): 38 Length (in.): 120 Width (in.): 160
NYTMN (km.): 4515.7 NYTME (km.): 592.4 Building: GTFAC

Item 55.2(From Mod 0):

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

Emission Unit: A-00005

Emission Point: SD005
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Emission Point: SD007
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Emission Point: SD008
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Emission Point: SD010
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Emission Point: SD011
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Emission Point: SD012
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Emission Point: SD013
Height (ft.): 12 Diameter (in.): 4
NYTMN (km.): 4515.7 NYTME (km.): 592.3

Condition 56: Process Definition By Emission Unit
Effective between the dates of 05/29/2009 and 05/28/2014

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 56.1(From Mod 1):

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

Emission Unit: U-00001
Process: CNG Source Classification Code: 2-02-007-01
Process Description:



THIS PROCESS IS THE COMBUSTION OF COMPRESSED NATURAL GAS IN THE PRATT WHITNEY TURBINES. THIS PROCESS INCLUDES ALL 24 PRATT & WHITNEY TURBINES WHEN THEY ARE FIRING NATURAL GAS.

Emission Source/Control: GT21A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT21B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT32A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT32B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34B - Combustion



Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44B - Combustion  
Design Capacity: 255 million Btu per hour

**Item 56.2(From Mod 1):**

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

Emission Unit: U-00001

Process: GTD

Source Classification Code: 2-02-009-01

Process Description:

THIS PROCESS INCLUDES THE COMBUSTION OF  
DISTILLATE FUEL (KEROSENE, #2 FUEL OIL) IN  
31 COMBUSTION TURBINES: GT21A, GT21B,  
THROUGH GT24A, GT24B; GT31A, GT31B,  
THROUGH GT34A, GT34B; AND, GT41A, GT41B,  
THROUGH GT44A, GT44B, WHICH ARE RATED AT  
255 MMBTU/HR EACH; GT005, GT007, AND GT008  
WHICH ARE RATED AT 239 MMBTU/HR EACH; AND,  
GT010 THROUGH GT013 WHICH ARE RATED AT 345  
MMBTU/HR EACH.

Emission Source/Control: GT005 - Combustion  
Design Capacity: 239 million Btu per hour

Emission Source/Control: GT007 - Combustion  
Design Capacity: 239 million Btu per hour

Emission Source/Control: GT008 - Combustion  
Design Capacity: 239 million Btu per hour

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Emission Source/Control: GT010 - Combustion  
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT011 - Combustion  
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT012 - Combustion  
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT013 - Combustion  
Design Capacity: 345 million Btu per hour

Emission Source/Control: GT21A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT21B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT22B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT23B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT24B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT31B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT32A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT32B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT33B - Combustion



Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT34B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT41B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT42B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT43B - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44A - Combustion  
Design Capacity: 255 million Btu per hour

Emission Source/Control: GT44B - Combustion  
Design Capacity: 255 million Btu per hour

**Item 56.3(From Mod 1):**

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

Emission Unit: U-00001  
Process: NG1 Source Classification Code: 2-01-002-01  
Process Description: Natural gas firing in the combustion turbine.

Emission Source/Control: BER-1 - Combustion  
Design Capacity: 1,800 million BTUs per hour

Emission Source/Control: BER-2 - Combustion  
Design Capacity: 1,800 million Btu per hour

Emission Source/Control: BER-3 - Combustion  
Design Capacity: 1,800 million BTUs per hour

Emission Source/Control: BER-4 - Combustion  
Design Capacity: 1,800 million BTUs per hour

Emission Source/Control: DUCT1 - Combustion





Design Capacity: 300 million BTUs per hour

Emission Source/Control: DUCT2 - Combustion  
Design Capacity: 300 million BTUs per hour

Emission Source/Control: DUCT3 - Combustion  
Design Capacity: 300 million BTUs per hour

Emission Source/Control: DUCT4 - Combustion  
Design Capacity: 300 million BTUs per hour

Emission Source/Control: CAT-1 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: CAT-2 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: CAT-3 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: CAT-4 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR-1 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SCR-2 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SCR-3 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SCR-4 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Item 56.4(From Mod 1):**

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

Emission Unit: U-00001  
Process: OL1 Source Classification Code: 2-01-001-01  
Process Description: Distillate oil firing in the combustion turbine.

Emission Source/Control: BER-1 - Combustion  
Design Capacity: 1,800 million BTUs per hour

Emission Source/Control: BER-2 - Combustion  
Design Capacity: 1,800 million Btu per hour

Emission Source/Control: BER-3 - Combustion  
Design Capacity: 1,800 million BTUs per hour

Emission Source/Control: BER-4 - Combustion



Design Capacity: 1,800 million BTUs per hour

Emission Source/Control: CAT-1 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: CAT-2 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: CAT-3 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: CAT-4 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR-1 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SCR-2 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SCR-3 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: SCR-4 - Control  
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

**Condition 57: Compliance Certification**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable Federal Requirement: 6 NYCRR 227-2.6 (c)**

**Item 57.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

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

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A Stack test must be performed to determine the emission of oxides of nitrogen from the Combustion Turbines at the facility. All Stack test procedures must comply with the provisions of 6NYCRR 227-2.6(c).

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



**Condition 58: Compliance Certification**

Effective between the dates of 05/29/2009 and 05/28/2014

**Applicable Federal Requirement: 6 NYCRR 200.6**

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

Process: GTD

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The operation of the turbines at the facility, when firing oil, is limited as follows:

(1) on a daily basis, the operation of each of the Pratt and Whitney turbines can not exceed 14 hours per day when firing distillate oil. THIS LIMIT IS ONLY FOR THE COMBUSTION OF DISTILLATE FUEL (KEROSENE) IN THE FOLLOWING 24 COMBUSTION TURBINES: GT21A, GT21B, THROUGH GT24A, GT24B; GT31A, GT31B, THROUGH GT34A, GT34B; AND, GT41A, GT41B, THROUGH GT44A, GT44B, WHICH ARE RATED AT 255 MMBTU/HR EACH. THE BALANCE OF THE TURBINES AT THE FACILITY (GT 5, 7, 8 AND 10 THROUGH 13) HAVE NO DAILY HOURLY LIMIT ON THEIR OPERATION.

(2) on an annual basis, the operation of each turbine can not exceed 1,930 hours per year.

Records must be kept and submitted quarterly, for each turbine at the facility, indicating the total hours of operation on a daily basis and the annual, 365-day rolling total of hours of operation.

Monitoring Frequency: HOURLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



**Condition 59: Compliance Certification**  
Effective between the dates of 05/29/2009 and 05/28/2014

**Applicable Federal Requirement:6 NYCRR 225.1 (a) (3)**

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

Process: GTD

**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The distillate oil fuel burned in the turbines at the facility can not contain sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.04 percent by weight

Reference Test Method: ASTM Method D4294

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: MONTHLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 6/30/2009.

Subsequent reports are due every 1 calendar month(s).

**Condition 60: Compliance Certification**  
Effective between the dates of 05/29/2009 and 05/28/2014

**Applicable Federal Requirement:6 NYCRR 227.2 (b) (1)**

**Item 60.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00005

Process: GTD

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 60.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



**Monitoring Description:**

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

- 1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,
- 2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and
- 3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**Condition 1-48: Compliance Certification**

**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 1-48.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The sulfur content of the backup oil fired in the GE PG7241FA combustion turbines shall not exceed 15 ppm by volume. The owner/operator shall maintain records documenting the sulfur content of the fuel fired in these turbines. These records shall be maintained, at the facility, for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 15 parts per million (by volume)  
Reference Test Method: ASTM D4294  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 3 calendar month(s).

**Condition 1-49: Compliance Certification**  
Effective between the dates of 10/04/2010 and 05/28/2014

**Applicable Federal Requirement: 40CFR 60.4365(a), NSPS Subpart**

**KKKK**

**Item 1-49.1:**

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

Emission Unit: U-00001  
Process: NG1

Emission Unit: U-00001  
Process: OL1

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

**Item 1-49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/mmBtu) heat input.

The facility must use the fuel quality characteristics in a current, valid purchase contract, tariff sheet, or transportation contract for the fuel, specifying that:

- 1) The maximum total sulfur content for oil use is 0.05% by weight (500 ppmw) or less, or
- 2) The total sulfur content for natural gas use is 20 grains of sulfur or less per 100 standard cubic feet, or
- 3) Has potential sulfur emissions of less than 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/mmBtu) heat input.

**New York State Department of Environmental Conservation**

Permit ID: 2-6301-00191/00003

Facility DEC ID: 2630100191



Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-50: Definition of excess emissions and monitoring downtime for sulfur dioxide**

**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.4385, NSPS Subpart KKKK**

**Item 1-50.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-50.1:**

This Condition applies to Emission Unit: U-00001

**Item 1-50.2.3:** If you choose the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as follows:

- (a) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the combustion turbine exceeds the applicable limit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.
- (b) If the option to sample each delivery of fuel oil has been selected, you must immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.05 weight percent. You must continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and you must evaluate excess emissions according to paragraph (a) of this section. When all of the fuel from the delivery has been burned, you may resume using the as-delivered sampling option.
- (c) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

**Condition 1-51: Reporting requirements**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable Federal Requirement:40CFR 60.4395, NSPS Subpart KKKK**



**Item 1-51.1:**

This Condition applies to:

Emission Unit: U00001  
Process: NG1

Emission Unit: U00001  
Process: OL1

**Item 1-51.1:**

This Condition applies to Emission Unit: U-00001

**Item 1-51.2.3:** All reports required under §60.7(c) must be postmarked by the 30th day following the end of each 6-month period.





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

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and 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 61: Contaminant List**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

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

**Item 61.1:**

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

CAS No: 000630-08-0  
Name: CARBON MONOXIDE



CAS No: 007446-09-5  
Name: SULFUR DIOXIDE

CAS No: 007664-41-7  
Name: AMMONIA

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

CAS No: 0NY075-02-5  
Name: PM 2.5

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

**Condition 1-52: Unavoidable noncompliance and violations**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 1-52.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.



(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) 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.

**Condition 62: Unavoidable noncompliance and violations  
Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 62.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those



above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) 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.

**Condition 1-53: Air pollution prohibited**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 1-53.1:**

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 63: Air pollution prohibited**  
**Effective between the dates of 05/29/2009 and 05/28/2014**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 63.1:**

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 1-54: CO2 Budget Trading Program - Excess emission requirements**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-54.1:**

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



period shall:

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

**Condition 1-55: Compliance Demonstration**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-55.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001  
Process: NG1

Emission Unit: U-00001  
Process: OL1

**Item 1-55.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- (1) The owners and operators of each CO2 budget source and each CO2 budget unit at the source shall hold CO2 allowances available for compliance deductions under Section 242-6.5, as of the CO2 allowance transfer deadline, in the source's compliance account in an amount not less than the total CO2 emissions for the control period from all CO2 budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.
- (2) Each ton of CO2 emitted in excess of the CO2 budget emissions limitation shall constitute a separate violation of this Part and applicable state law.
- (3) A CO2 budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences



operation.

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

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

(6) A CO2 allowance under the CO2 Budget Trading Program is a limited authorization by the Department or a participating state to emit one ton of CO2 in accordance with the CO2 Budget Trading Program. No provision of the CO2 Budget Trading Program, the CO2 budget permit application, or the CO2 budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit such authorization.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 1-56: Compliance Demonstration**  
**Effective between the dates of 10/04/2010 and 05/28/2014**

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

**Item 1-56.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: NG1

Emission Unit: U-00001

Process: OL1

**Item 1-56.2:**



Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CO2 Budget Trading Program.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

