

Facility DEC ID: 3334600075

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 3-3346-00075/00008  
Effective Date: Expiration Date:

Permit Type: Title IV (Phase II Acid Rain)  
Permit ID: 3-3346-00075/00017  
Effective Date: Expiration Date:

Permit Issued To: ROSETON GENERATING LLC  
811 MAIN ST STE 3500  
HOUSTON, TX 77002

Contact: JOSEPH ROTHBAUER  
ROSETON GENERATING LLC  
811 MAIN ST STE 3500  
HOUSTON, TX 77002  
(281) 378-1100

Facility: ROSETON GENERATING STATION  
992 RIVER RD|Along Danskammer Rd and River Rd  
NEWBURGH, NY 12550

Contact: ERIC J SHAW  
ROSETON GENERATING LLC  
992 RIVER RD  
NEWBURGH, NY 12550  
(845) 563-4936

Description:  
Renewal 4 of the Air Title V Facility. There have been no changes to the existing power plant. A Climate Leadership and Community Protection Act (CLCPA) assessment is not required since this permit is for a straight renewal and no modifications are being proposed. Oxides of nitrogen (NOx) modeling is required as part of the ATV permit renewal process.

Roseton Generating Station is located in the Town of Newburgh, Orange County. The facility operates two Combustion Engineering, tangentially-fired, steam generating boilers, each rated at 600 MW. Both units are capable of firing No. 6 fuel oil and natural gas as primary fuels. In addition, both units are capable of firing natural gas or No. 2 fuel oil as their ignition fuel during warm-up. The facility also operated one 32.7 mmBtu/hr natural gas-fired auxiliary boiler that supplies steam heating to various on-site buildings, tanks, and fuel oil lines. Two emergency diesel generators sized at 850 hp and 300 hp are also located on-site. Roseton is considered a major facility and is therefore

Facility DEC ID: 3334600075

subject to the provisions of the Title V specified under 6 NYCRR Subpart 201-6.

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:           EVAN H HOGAN  
  NYSDEC  
  625 BROADWAY  
  ALBANY, NY 12233

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

Facility DEC ID: 3334600075

### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

Facility DEC ID: 3334600075

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

- 6 5 Submission of application for permit modification or renewal  
-REGION 3 HEADQUARTERS

Facility DEC ID: 3334600075

**DEC GENERAL CONDITIONS**

\*\*\*\* General Provisions \*\*\*\*

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

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department****Applicable State Requirement: ECL 19-0305****Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations****Applicable State Requirement: ECL 3-0301 (2) (m)****Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers****Applicable State Requirement: 6 NYCRR 621.11****Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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

**Facility DEC ID: 3334600075**

submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal -REGION 3 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 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ROSETON GENERATING LLC  
811 MAIN ST STE 3500  
HOUSTON, TX 77002

Facility: ROSETON GENERATING STATION  
992 RIVER RD|Along Danskammer Rd and River Rd  
NEWBURGH, NY 12550

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

Permit Effective Date:

Permit Expiration Date:

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

7	1	6 NYCRR 200.6: Acceptable Ambient Air Quality
8	2	6 NYCRR 201-6.4 (a) (7): Fees
8	3	6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
8	4	6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
9	5	6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
11	6	6 NYCRR 201-6.4 (e): Compliance Certification
13	7	6 NYCRR 202-2.5: Recordkeeping requirements
13	8	6 NYCRR 215.2: Open Fires - Prohibitions
14	9	6 NYCRR 200.7: Maintenance of Equipment
15	10	6 NYCRR 201-1.7: Recycling and Salvage
15	11	6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
15	12	6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
15	13	6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
15	14	6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
16	15	6 NYCRR 201-6.4 (a) (8): Right to Inspect
16	16	6 NYCRR 202-1.1: Required Emissions Tests
16	17	40 CFR Part 68: Accidental release provisions.
17	18	40CFR 82, Subpart F: Recycling and Emissions Reduction
17	19	6 NYCRR Subpart 201-6: Emission Unit Definition
18	20	6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
19	21	6 NYCRR 201-6.4 (f): Operational Flexibility
19	22	6 NYCRR 202-2.4 (a) (3): Statement dates for emissions statements.
19	23	6 NYCRR 211.2: Visible Emissions Limited
19	24	6 NYCRR 225-1.2 (c): Compliance Certification
20	25	6 NYCRR 225-1.2 (d): Compliance Certification
21	26	6 NYCRR 227-1.3 (a): Compliance Certification
22	27	6 NYCRR 227-1.3 (c): Compliance Certification
22	28	6 NYCRR 227-1.4 (a): Compliance Certification
23	29	6 NYCRR 227-1.5 (b) (2): Compliance Certification
24	30	6 NYCRR 227-2.5 (a): Compliance Certification
25	31	6 NYCRR 249.3 (a): Compliance Certification
26	32	6 NYCRR 249.3 (f): Compliance Certification
27	33	40CFR 63, Subpart DDDDD: Applicability
28	34	40CFR 63, Subpart UUUUU: Compliance Certification
28	35	40CFR 63, Subpart UUUUU: Compliance Certification
29	36	40CFR 63.9990(b), Subpart UUUUU: Compliance Certification
30	37	40CFR 63.10000(b), Subpart UUUUU: Good Control Practices
30	38	40CFR 63.10021, Subpart UUUUU: Continuous Compliance
31	39	40CFR 63.10031, Subpart UUUUU: Reporting Requirements
31	40	40CFR 63.10032, Subpart UUUUU: Compliance Certification
33	41	40CFR 63.10040, Subpart UUUUU: General Provisions
33	42	40CFR 63.6602, Subpart ZZZZ: Compliance Certification
34	43	40CFR 63.6625(e), Subpart ZZZZ: Compliance Certification

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

- 35 44 40CFR 63.6625(h), Subpart ZZZZ: Compliance Certification
- 36 45 40CFR 63.6625(i), Subpart ZZZZ: Compliance Certification
- 37 46 40CFR 63.6640(f), Subpart ZZZZ: Compliance Certification
- 37 47 40CFR 63.6665, Subpart ZZZZ: General provisions
- 37 48 40 CFR Part 72: Facility Subject to Title IV Acid Rain Regulations and Permitting
- 38 49 40CFR 75.10(a), Subpart B: Compliance Certification
- 39 50 40CFR 75.10(b), Subpart B: Compliance Certification
- 39 51 40CFR 75.10(c), Subpart B: Compliance Certification
- 40 52 40CFR 75.10(d), Subpart B: Compliance Certification
- 42 53 40CFR 97.406, Subpart AAAAA: Compliance Certification
- 43 54 40CFR 97.606, Subpart CCCCC: Compliance Certification
- 44 55 40CFR 97.1006, Subpart GGGGG: Compliance Certification
- Emission Unit Level**
- 46 56 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 46 57 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=U-R000B**

- 48 58 6 NYCRR 227-2.4 (c) (1): Compliance Certification
- 49 59 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification
- 49 60 40CFR 63.7515(d), Subpart DDDDD: Compliance Certification
- 50 61 40CFR 63.7540(a), Subpart DDDDD: Compliance Certification
- 51 62 40CFR 63.7550(b), Subpart DDDDD: Compliance Certification
- 52 63 40CFR 63.7550(c), Subpart DDDDD: Compliance Certification
- 53 64 40CFR 63.7565, Subpart DDDDD: General provisions

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 55 65 ECL 19-0301: Contaminant List
- 55 66 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 56 67 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 56 68 6 NYCRR 242-1.5: Compliance Demonstration
- 58 69 6 NYCRR Subpart 242-4: Compliance Demonstration

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 4/DRAFT

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**  
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.
- Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**  
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**  
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

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

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

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

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

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

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

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

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

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

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

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

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

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

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

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

**Item K: Permit Exclusion - ECL 19-0305**

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

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

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

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

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

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

**Condition 2: Fees  
Effective for entire length of Permit**

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

**Item 2.1:**

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

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

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

**Item 3.1:**

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

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

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

**Condition 4: Records of Monitoring, Sampling, and Measurement  
Effective for entire length of Permit**

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

**Item 4.1:**

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

the report shall be contained in the 6 month monitoring report required above.

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

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

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

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

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department’s Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch  
 USEPA Region 2 DECA/ACB  
 290 Broadway, 21st Floor  
 New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
 NYSDEC  
 21 South Putt Corners Road  
 New Paltz, NY 12561-1696

The address for the BQA is as follows:

NYSDEC



Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

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

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

**Condition 9: Maintenance of Equipment  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 9.1:**

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Condition 10: Recycling and Salvage**  
**Effective for entire length of Permit**

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

**Item 10.1:**

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

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

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

**Item 11.1:**

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

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

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

**Item 12.1:**

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

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

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

**Item 13.1:**

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

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

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

**Item 14.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

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

**Item 15.1:**

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

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

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

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

**Item 16.1:**

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

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

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

**Item 17.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

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

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

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

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

**Item 18.1:**

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

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

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

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

**Item 19.1:**

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

Emission Unit: U-R0001

Emission Unit Description:

Roseton Unit 1 is a 600 MW Combustion Engineering, tangentially-fired steam generating boiler. This unit began commercial operation in December of 1974 and was modified in May of 1992 to enable the unit to co-fire or exclusively fire natural gas, in addition to No. 6 fuel oil.

Building(s): ROSE1

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Item 19.2:**

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

Emission Unit: U-R0002

Emission Unit Description:

Roseton Unit 2 is a 600 MW Combustion Engineering, tangentially-fired steam generating boiler. The unit began commercial operation in September of 1974 and was modified in December of 1991 to enable the unit to co-fire or exclusively fire natural gas, in addition to No. 6 fuel oil.

Building(s): ROSE2

**Item 19.3:**

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

Emission Unit: U-R000B

Emission Unit Description:

One 32.656 MMBtu/hr, natural gas-fired auxiliary boiler used to supply steam heating to the facility buildings (main facility, transfer pump house, service building), heating for day tanks and steam heat tracing for fuel oil lines. The boiler is equipped with integral low NOx burners.

Building(s): ROSE\_AUX

**Item 19.4:**

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

Emission Unit: U-R000W

Emission Unit Description:

Sludge from settling basins is transported to the storage facility, dried at ambient temperatures, stored, and transferred off-site for RCRA waste disposal.

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

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

**Item 20.1:**

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

**Item 21.1:**

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

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

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

**Item 22.1:**

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

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

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

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 23.1:**

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire residual oil are limited to a 0.50 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

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

**Item 25.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.0015 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

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

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

**Item 26.1:**

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

Emission Unit: U-R0001	Emission Point: 00001
Process: R1O	Emission Source: SR001
Emission Unit: U-R0002	Emission Point: 00002
Process: R2O	Emission Source: SR002

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator of a stationary combustion installation (excluding combustion turbines) or a group of stationary combustion installations firing oil or oil in combination with other liquid or gaseous fuels with a total maximum heat input capacity of at least 50 million Btus per hour is required to meet the 0.1 lbs/mmBtu particulate matter standard. Compliance with this standard will be met by keeping vendor certified fuel receipts which contain the sulfur content of the oil being fired as required in Subpart 225-1 of this Title.

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

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

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

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

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: 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 utilizing a continuous opacity monitor (COM) and maintain a record of all measurements made by the COM and the hours of COM downtime. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

Upper Permit Limit: 20 percent  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

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

**Applicable Federal Requirement: 6 NYCRR 227-1.5 (b) (2)**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator required to operate a COM shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible official as true, accurate and complete and post marked by the 30th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

(i) the magnitude, date and time of each six-minute block average during which the average opacity of emissions exceeds 20 percent, except for one six-minute block average per hour not to exceed 27 percent;

(ii) identification of the specific cause and corrective action taken for each period of excess emission;

(iii) identification of all periods of COM down time, including the date, time and duration of each inoperable period, and the cause and corrective action for each COM down time period;

(iv) the total time in which the COM is required to record data during the reporting period; and

(v) the total number of exceedances and the duration of exceedances expressed as a percentage of the total time in which the COM is required to record data.

All records generated by the permittee must be maintained

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

at the facility or at an alternative location approved by the Department for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

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

**Item 30.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-R0001

Emission Unit: U-R0002

Regulated Contaminant(s):

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

**Item 30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility will show compliance with the NO<sub>x</sub> RACT limit of 0.15 lb/mmBtu by utilizing a CEMs. The facility owner and/or operator shall install, calibrate, maintain, and operate a CEMS for the monitoring of NO<sub>x</sub> in accordance with the requirements of this subpart.

Owners or operators required to use 40 CFR Part 75 monitoring reference methods are required to do so. Any other owners or operators may use either 40 CFR Part 60 or 40 CFR Part 75 monitoring reference methods.

The facility will comply with the 0.15 lb/mmBtu NO<sub>x</sub> RACT limit by using the fuel switching compliance option for Units 1 and 2 as follows:

- (a) Each unit will fire only natural gas during the ozone season (May 1st – September 30th), except that the boiler may fire fuel oil alone or in combination with natural gas during periods when the natural gas supply is insufficient to meet the electrical output load levels or ramp rates required by the NYISO dispatch for the Unit. Consistent

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

with good engineering and operating practices, Roseton will achieve the maximum load or ramp rate possible using natural gas alone before firing No. 6 fuel oil to satisfy dispatch load or ramp rate requirements during the ozone season.

(b) The total heat input to each Unit from the combustion of fuel oil shall not exceed 1,440,000 MMBtu per unit during each ozone season.

(c) The permittee will maintain records of all periods during the ozone season when Emission Units U-R0001 or U-R0002 operate on fuel oil, including the reason for the fuel oil operations and the amount of fuel oil combusted.

All records used to determine compliance must be kept at the facility (or other Department approved location) for a minimum of five years.

Manufacturer Name/Model Number: CEM  
 Upper Permit Limit: 0.15 pounds per million Btus  
 Reference Test Method: EPA Approved Method  
 Monitoring Frequency: CONTINUOUS  
 Averaging Method: CALENDAR YEAR AVERAGE  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 31: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 249.3 (a)**

**Item 31.1:**

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

Emission Unit: U-R0001

Emission Unit: U-R0002

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

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:  
 SO2 emissions from Units 1 and 2 are limited to 0.55

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

lb/mmBtu with a 24-hour averaging period for each unit in order to satisfy the facility's BART requirements. 40 CFR Part 75 Appendix D, Options SO<sub>2</sub> Emissions Data Protocol for Gas-Fired Units, will be used to calculate SO<sub>2</sub> emissions.

This limit is based on New York's Best Available Retrofit Technology (BART) Rule (6 NYCRR Part 249) and is effective (and state-enforceable) on the date of this permit's issuance. Federal enforceability of the facility-specific requirement on the date on which the emission limit, as submitted to the EPA as a revision to New York State's Implementation Plan for Regional Haze, is published in the Federal Register.

All records used to determine compliance must be kept at the facility (or other Department approved location) for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: FUEL  
Parameter Monitored: SULFUR DIOXIDE  
Upper Permit Limit: 0.55 pounds per million Btus  
Reference Test Method: 40 CFR Part 75, Appendix D  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 24 HOUR BLOCK AVERAGE (ARITHMETIC MEAN)  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 32: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 249.3 (f)**

**Item 32.1:**

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

Emission Unit: U-R0001

Emission Unit: U-R0002

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

**Item 32.2:**

Compliance Certification shall include the following monitoring:

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

NOx emissions from Units 1 and 2 are limited to 0.20 lb/MMBtu for each unit. Wind box optimization will be used along with fuel switching in order to satisfy the facility's BART requirements. The emission limit will be determined by using a 24-hour averaging period during the ozone season (May 1st – September 30th) and a 30-day averaging period during the non-ozone season (October 1st – April 30th). A CEMS will be used to monitor emissions. Records must be maintained on-site and submitted to the Department quarterly.

This limit is based on New York's Best Available Retrofit Technology (BART) Rule (6 NYCRR Part 249) and is effective (and state-enforceable) on the date of this permit's issuance. Federal enforceability of this facility-specific requirement is effective on the date on which the emission limit, as submitted to EPA as a revision to New York State's Implementation Plan for Regional Haze, is published in the Federal Register.

All records used to determine compliance must be kept at the facility (or other Department approved location) for a minimum of five years.

Manufacturer Name/Model Number: CEM  
 Upper Permit Limit: 0.20 pounds per million Btus  
 Reference Test Method: EPA Approved Method  
 Monitoring Frequency: CONTINUOUS  
 Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
 Reporting Requirements: QUARTERLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 3 calendar month(s).

**Condition 33: Applicability**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63, Subpart DDDDD**

**Item 33.1:**  
 This Condition applies to:

Emission Unit: UR000B

**Item 33.2:**  
 Facilities that are major sources of HAP with industrial, commercial, or institutional boilers and/or process heaters must comply with applicable portions of 40 CFR 63 DDDDD.

**Condition 34: Compliance Certification**

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63, Subpart UUUUU**

**Item 34.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-R0001

Emission Unit: U-R0002

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility conducted required initial tune-ups on Units 1 and 2 and records showing compliance are kept on site. Subsequent performance tune-ups must be conducted as follows, according to 40 CFR 63.10006(i)(1) and (2):

(i)(1) For EGUs not employing neural network combustion optimization during normal operation, each performance tune-up specified in §63.10021(e) must be no more than 36 calendar months after the previous performance tune-up.

(2) For EGUs employing neural network combustion optimization systems during normal operation, each performance tune-up specified in §63.10021(e) must be no more than 48 calendar months after the previous performance tune-up.

Roseton Units 1 and 2 are also subject to the performance tune-up requirements under 40 CFR Part 63.10021(e).

Reporting requirements for this subpart are outlined under 40 CFR 63.10031.

All records used to determine compliance must be kept at the facility (or other Department approved location) for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 35: Compliance Certification  
Effective for entire length of Permit**

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Applicable Federal Requirement:40CFR 63, Subpart UUUUU**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an EGU that qualifies as a limited-use liquid oil-fired EGU must keep records of the type(s) and amount(s) of fuel use in each calendar quarter to document that the capacity factor limitation for that subcategory is met.

The owner's or operator's records must be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1).

As specified in 40 CFR 63.10(b)(1), the owner or operator must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

The owner or operator must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). The owner or operator can keep the records off site for the remaining 3 years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 36: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.9990(b), Subpart UUUUU**

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-R0001

Emission Unit: U-R0002

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As listed in 40 CFR 63.9990(b)(3) and defined in 40 CFR 63.10042, limited-use liquid oil-fired subcategory means an oil-fired electric utility steam generating unit with an annual capacity factor of less than 8 percent of its maximum or nameplate heat input, whichever is greater, averaged over a 24-month block contiguous period commencing April 16, 2015.

Roseton can utilize this provision for Units 1 and 2 by maintaining records to demonstrate compliance with the above requirements and meet the Work Practice requirements found in Table 3.

All records used to determine compliance must be kept at the facility (or other Department approved location) for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 37: Good Control Practices  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.10000(b), Subpart UUUUU**

**Item 37.1:**

At all times the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

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

**Applicable Federal Requirement:40CFR 63.10021, Subpart UUUUU**

**Item 38.1:**

The owner or operator must demonstrate continuous compliance with each applicable emissions limit, operating limit, and work practice standard in Tables 1 through 4 to subpart UUUUU according to the monitoring specified in Tables 6 and 7 to subpart UUUUU and 40 CFR 63.10021(b) through (g).

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Condition 39: Reporting Requirements**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.10031, Subpart UUUUU**

**Item 39.1:**

The owner or operator must comply with the following reporting requirements.

- (a) The owner or operator must submit each applicable report in Table 8 to subpart UUUUU.
- (b) Unless the Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the owner or operator must submit each report by the date in Table 8 to subpart UUUUU and according to the requirements in 40 CFR 63.10031(b)(1) through (5).
- (c) The compliance report must contain the information required in 40 CFR 63.10031(c)(1) through (9).
- (d) For each excess emissions occurring at an affected source where the owner or operator is using a CMS to comply with that emission limit or operating limit, he/she must include the information required in 40 CFR 63.10(e)(3)(v) in the compliance report specified in 40 CFR 63.10031(c).
- (e) Each affected source that has obtained a Title V operating permit pursuant to part 70 or part 71 must report all deviations as defined in subpart UUUUU in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A).
- (f) The owner or operator shall comply with the electronic reporting requirements of 40 CFR 63.10031(f).
- (g) If the owner or operator has a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded.

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

**Applicable Federal Requirement: 40CFR 63.10032, Subpart UUUUU**

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a coal or oil fired EGU subject

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

to subpart UUUUU must comply with the following recordkeeping requirements:

- (a) The owner or operator must keep records according to 40 CFR 63.10032(a)(1) and (2).
- (b) For each CEMS and CPMS, the owner or operator must keep records according to 40 CFR 63.10032(b)(1) through (4).
- (c) The owner or operator must keep the records required in Table 7 to subpart UUUUU including records of all monitoring data and calculated averages for applicable PM CPMS operating limits to show continuous compliance with each emission limit and operating limit that applies to the facility.
- (d) For each EGU subject to an emission limit, the owner or operator must also keep the records in 40 CFR 63.10032(d)(1) through (3).
- (e) If the owner or operator elects to average emissions consistent with 40 CFR 63.10009, he/she must additionally keep a copy of the emissions averaging implementation plan required in 40 CFR 63.10009(g), all calculations required under 40 CFR 63.10009, including daily records of heat input or steam generation, as applicable, and monitoring records consistent with 40 CFR 63.10022.
- (f) The owner or operator must keep records of the occurrence and duration of each startup and/or shutdown according to 40 CFR 63.10032(f)(1) through (2).
- (g) The owner or operator must keep records of the occurrence and duration of each malfunction of an operation ( i.e. , process equipment) or the air pollution control and monitoring equipment.
- (h) The owner or operator must keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.10000(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (i) The owner or operator must keep records of the type(s) and amount(s) of fuel used during each startup or shutdown.
- (j) If the owner or operator elects to establish that an EGU qualifies as a limited-use liquid oil-fired EGU, he/she must keep records of the type(s) and amount(s) of

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

fuel use in each calendar quarter to document that the capacity factor limitation for that subcategory is met.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 41: General Provisions  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.10040, Subpart UUUUU**

**Item 41.1:**

This Condition applies to:

Emission Unit: UR0001

Emission Unit: UR0002

**Item 41.2:**

Table 9 to Subpart UUUUU states which parts of the General Provisions in 40 CFR 63.1 through 63.15 apply to electric generating units.

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

**Applicable Federal Requirement:40CFR 63.6602, Subpart ZZZZ**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing emergency and black start compression ignition stationary RICE with a site rating less than or equal to 500 brake horsepower located at a major source of HAP emissions must comply with the following maintenance procedures:

- (1) Change oil and filter every 500 hours of operation or annually, whichever comes first,
- (2) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first,
- (3) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

as necessary.

Initial compliance was met and continuous compliance will be demonstrated according to 40 CFR 63.6640. The facility must keep records according to the provisions in 40 CFR 63.6655 and submit the notifications and reports listed in 40 CFR 63.6645 and 63.6650.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40CFR 63.6625(e), Subpart ZZZZ**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any of the following stationary RICE must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

- (1) An existing stationary RICE with a site rating of less than 100 brake horsepower located at a major source of HAP emissions;
- (2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions;
- (3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;
- (4) An existing non-emergency, non-black start stationary compression ignition RICE with a site rating less than or equal to 300 brake horsepower located at an area source of HAP emissions;
- (5) An existing non-emergency, non-black start 2 stroke

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

lean burn stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(7) An existing non-emergency, non-black start 4 stroke lean burn stationary RICE with a site rating less than or equal to 500 brake horsepower located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4 stroke rich burn stationary RICE with a site rating less than or equal to 500 brake horsepower located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4 stroke lean burn stationary RICE with a site rating greater than 500 brake horsepower located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4 stroke rich burn stationary RICE with a site rating greater than 500 brake horsepower located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40CFR 63.6625(h), Subpart ZZZZ**

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 44.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

For operation of a new, reconstructed, or existing stationary engine, the engine's time spent at idle must be minimized during startup and minimize the engine's startup time to a period needed for appropriate and safe loading

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to 40 CFR 63 Subpart ZZZZ apply.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40CFR 63.6625(i), Subpart ZZZZ**

**Item 45.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to subpart ZZZZ or in items 1 or 4 of Table 2d to subpart ZZZZ has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

analysis program must be part of the maintenance plan for the engine.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement:40CFR 63.6640(f), Subpart ZZZZ**

**Item 46.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an emergency stationary RICE must operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1) through (4), is prohibited. If the owner or operator does not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) through (4), the engine will not be considered an emergency engine under subpart ZZZZ and must meet all requirements for non-emergency engines.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 47: General provisions  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.6665, Subpart ZZZZ**

**Item 47.1:**

Table 8 of 40 CFR 63 Subpart ZZZZ shows which parts of the General Provisions 40 CFR 63.1 through 40 CFR 63.15 apply to this facility. Facility is responsible for ensuring they comply with all General Provisions contained in Table 8.

**Condition 48: Facility Subject to Title IV Acid Rain Regulations and Permitting  
Effective for entire length of Permit**

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

**Item 48.1:** This facility is subject to the Title IV Acid Rain Program regulations found in 40 CFR Parts 72, 73, 75, 76, 77, and 78. In accordance with those requirements, a separate Title IV Acid Rain permit has been issued to the facility. The facility owner or operator shall maintain a copy of the Title IV Acid Rain permit together with this Title V permit in the facility's files.

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

**Applicable Federal Requirement:40CFR 75.10(a), Subpart B****Item 49.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall measure opacity and all NO<sub>x</sub> and CO<sub>2</sub> emissions for each affected unit as follows:

(1) The owner or operator shall install, certify, operate, and maintain, in accordance with all the requirements of this part, a NO<sub>x</sub> CEMS (consisting of a NO<sub>x</sub> pollutant concentration monitor and an O<sub>2</sub> or CO<sub>2</sub> diluent gas monitor) with the automated data acquisition and handling system for measuring and recording NO<sub>x</sub> concentration (in ppm), O<sub>2</sub> or CO<sub>2</sub> concentration (in percent O<sub>2</sub> or CO<sub>2</sub>) and NO<sub>x</sub> emission rate (in lb/mmBtu) discharged to the atmosphere. The owner or operator shall account for total NO<sub>x</sub> emissions, both NO and NO<sub>2</sub>, either by monitoring for both NO and NO<sub>2</sub> or by monitoring for NO only and adjusting the emissions data to account for NO<sub>2</sub>;

(2) The owner or operator shall install, certify, operate, and maintain, in accordance with all the requirements of this part, a CO<sub>2</sub> CEMS and a flow monitoring system with the automated data acquisition and handling system for measuring and recording CO<sub>2</sub> concentration (in ppm or percent), volumetric gas flow (in scfh), and CO<sub>2</sub> mass emissions (in tons/hr) discharged to the atmosphere;

(3) The owner or operator shall install, certify, operate, and maintain, in accordance with all the

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

requirements in this part, a continuous opacity monitoring system with the automated data acquisition and handling system for measuring and recording the opacity of emissions (in percent opacity) discharged to the atmosphere.

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

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

**Applicable Federal Requirement: 40CFR 75.10(b), Subpart B**

**Item 50.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 50.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Primary Equipment Performance Requirements. The owner or operator shall ensure that each CEMS required by this part meets the equipment, installation, and performance specifications in Appendix A to this part; and is maintained according to the quality assurance and quality control procedures in Appendix B to this part; and shall record NO<sub>x</sub> emissions in the appropriate units of measurement (i.e., lb/mmBtu for NO<sub>x</sub>).

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

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

**Applicable Federal Requirement: 40CFR 75.10(c), Subpart B**

**Item 51.1:**  
The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

Emission Unit: U-R0001  
Process: R1G

Emission Source: SR001

Emission Unit: U-R0001  
Process: R1O

Emission Source: SR001

Emission Unit: U-R0002  
Process: R2G

Emission Source: SR002

Emission Unit: U-R0002  
Process: R2O

Emission Source: SR002

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Heat Input Measurement Requirement. The owner or operator shall determine and record the heat input to each affected unit for every hour or part of an hour any fuel is combusted following the procedures in Appendix F to this part.

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

**Applicable Federal Requirement:40CFR 75.10(d), Subpart B**

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Primary equipment hourly operating requirements. The owner or operator shall ensure that all continuous emission and opacity monitoring systems required by this part are in operation and monitoring unit emissions or opacity at all times that the affected unit combusts any fuel except as provided in §75.11(e) and during periods of calibration, quality assurance, or preventive maintenance, performed pursuant to §75.21 and appendix B of this part, periods of repair, periods of backups of data from the data acquisition and handling system, or recertification

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

performed pursuant to §75.20. The owner or operator shall also ensure, subject to the exceptions above in this paragraph, that all continuous opacity monitoring systems required by this part are in operation and monitoring opacity during the time following combustion when fans are still operating, unless fan operation is not required to be included under any other applicable Federal, State, or local regulation, or permit. The owner or operator shall ensure that the following requirements are met:

(1) The owner or operator shall ensure that each CEMS and component thereof is capable of completing a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-min interval. The owner or operator shall reduce all CO<sub>2</sub> concentration, O<sub>2</sub> concentration, CO<sub>2</sub> mass emissions (if applicable), NO<sub>x</sub> concentration, and NO<sub>x</sub> emission rate data collected by the monitors to hourly averages. Hourly averages shall be computed using at least one data point in each fifteen minute quadrant of an hour, where the unit combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly average may be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour) if data are unavailable as a result of the performance of calibration, quality assurance, or preventive maintenance activities pursuant to §75.21 and appendix B of this part, backups of data from the data acquisition and handling system, or recertification, pursuant to §75.20. The owner or operator shall use all valid measurements or data points collected during an hour to calculate the hourly averages. All data points collected during an hour shall be, to the extent practicable, evenly spaced over the hour.

(2) The owner or operator shall ensure that each continuous opacity monitoring system is capable of completing a minimum of one cycle of sampling and analyzing for each successive 10-sec period and one cycle of data recording for each successive 6-min period. The owner or operator shall reduce all opacity data to 6-min averages calculated in accordance with the provisions of part 51, appendix M of this chapter, except where the applicable State implementation plan or operating permit requires a different averaging period, in which case the State requirement shall satisfy this Acid Rain Program requirement.

(3) Failure of an CO<sub>2</sub> or O<sub>2</sub> pollutant concentration monitor, flow monitor, or NO<sub>x</sub> CEMS, to acquire the minimum number of data points for calculation of an hourly average in paragraph (d)(1) of this section, shall result in the

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

failure to obtain a valid hour of data and the loss of such component data for the entire hour. An hourly average NOX emission rate in lb/mmBtu is valid only if the minimum number of data points are acquired by both the pollutant concentration monitor (NOX) and the diluent monitor (CO2 or O2). If a valid hour of data is not obtained, the owner or operator shall estimate and record emission or flow data for the missing hour by means of the automated data acquisition and handling system, in accordance with the applicable procedure for missing data substitution in subpart D of this part.

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

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

**Item 53.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) The facility shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418 of Subpart AAAAA. The facility shall notify the Department of this representative (and alternative) with contact information upon issuance of this permit and when any changes are made to the representative (or alternative) or their contact information.
- (2) The facility, and the designated representative, of each TR NOX Annual source (facility) and each TR NOx Annual Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435 of Subpart AAAAA and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

(3) The emissions data determined shall be used to calculate allocations of TR NO<sub>x</sub> Annual allowances and to determine compliance with the TR NO<sub>x</sub> Annual emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO<sub>x</sub> Annual facility and each TR NO<sub>x</sub> Annual Unit at the facility shall hold, in the facilities compliance account, TR NO<sub>x</sub> Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all TR NO<sub>x</sub> Annual Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

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

**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:

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

this permit and when any changes are made to the representative (or alternative) or their contact information.

(2) The facility, and the designated representative, of each TR SO<sub>2</sub> Group 1 source (facility) and each TR SO<sub>2</sub> Group 1 Unit at the facility shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.630 through 97.635 of Subpart CCCC and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality-assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.

(3) The emissions data determined shall be used to calculate allocations of TR SO<sub>2</sub> Group 1 allowances and to determine compliance with the TR SO<sub>2</sub> Group 1 emissions limitation and assurance provisions. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO<sub>2</sub> Group 1 facility and each TR SO<sub>2</sub> Group 1 Unit at the facility shall hold, in the facilities compliance account, TR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all TR SO<sub>2</sub> Group 1 Units at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40CFR 97.1006, Subpart GGGGG**

**Item 55.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

(2) The facility, and the designated representative, of each CSAPR NOx Ozone Season Group 3 source (facility) and each CSAPR NOx Ozone Season Group unit at the facility must comply with the monitoring, reporting, and recordkeeping requirements of §§97.1030 through 97.1035 of Subpart GGGGG and subpart H of part 75 of this chapter. This includes but is not limited to: requirements for installation, certification, and data accounting for all required monitoring systems; requirements for recording, reporting, and quality assurance of the data; and certification of compliance of such data. Data from continuous emission monitoring equipment are to be submitted quarterly (calendar year). These reports are generally due 30 days after the end of a calendar quarter. All other monitoring data are to be submitted to the DEC semiannually (calendar year). These reports are due on January 30th and July 30th of each year.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Condition 56: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 56.1:**

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

Emission Unit: U-R0001

Emission Point: 00001

Height (ft.): 260

Diameter (in.): 276

NYTMN (km.): 4602.75

NYTME (km.): 585.473

Building: ROSE1

**Item 56.2:**

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

Emission Unit: U-R0002

Emission Point: 00002

Height (ft.): 260

Diameter (in.): 276

NYTMN (km.): 4602.734

NYTME (km.): 585.42

Building: ROSE2

**Item 56.3:**

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

Emission Unit: U-R000B

Emission Point: 0000B

Height (ft.): 28

Diameter (in.): 24

NYTMN (km.): 4602.7

NYTME (km.): 585.513

Building: ROSE\_AUX

**Condition 57: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 57.1:**

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

Emission Unit: U-R0001

Process: R1G

Source Classification Code: 1-01-006-01

Process Description:

The combustion of natural gas in Unit 1. The heat input of the boiler is rated at 5985 MMBtu/hr for natural gas firing. Particulate emissions are controlled by a mechanical dust collector. Emissions of NO<sub>x</sub> are reduced through the use of "burners out of service" (BOOS) controls and windbox flue gas recirculation. Natural gas is used for ignition, however, No. 2 fuel oil is available as backup and would be used in the warm-up process only.

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

Emission Source/Control: SR001 - Combustion

Emission Source/Control: CR001 - Control  
Control Type: DYNAMIC SEPARATOR (DRY)

**Item 57.2:**

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

Emission Unit: U-R0001  
Process: R1O Source Classification Code: 1-01-004-01  
Process Description:

The combustion of No. 6 fuel oil in Unit 1. The heat input of the boiler is rated at 7927 MMBtu/hr for No. 6 oil firing. Particulate emissions are controlled by a mechanical dust collector. Emissions of NOx are reduced through a combination of fuel oil steam atomization, "burners out of service" (BOOS) controls, and windbox flue gas recirculation.

Emission Source/Control: SR001 - Combustion

Emission Source/Control: CR001 - Control  
Control Type: DYNAMIC SEPARATOR (DRY)

**Item 57.3:**

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

Emission Unit: U-R0002  
Process: R2G Source Classification Code: 1-01-006-01  
Process Description:

The combustion of natural gas in Unit 2. The heat input of the boiler is rated at 6597 MMBtu/hr for natural gas firing. Particulate emissions are controlled by a mechanical dust collector. Emissions of NOx are reduced through the use of "burners out of service" (BOOS) controls and windbox flue gas recirculation. Natural gas is used for ignition, however, No. 2 fuel oil is available as backup and would be used in the warm-up process only.

Emission Source/Control: SR002 - Combustion

Emission Source/Control: CR002 - Control  
Control Type: DYNAMIC SEPARATOR (DRY)

**Item 57.4:**

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

Emission Unit: U-R0002  
Process: R2O Source Classification Code: 1-01-004-01  
Process Description:

The combustion of No. 6 fuel oil in Unit 2. The heat input of the boiler is rated at 7691 MMBtu/hr for No. 6

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

oil firing. Particulate emissions are controlled by a mechanical dust collector. Emissions of NOx are reduced through a combination of fuel oil steam atomization, "burners out of service" (BOOS) controls, and windbox flue gas recirculation.

Emission Source/Control: SR002 - Combustion

Emission Source/Control: CR002 - Control  
Control Type: DYNAMIC SEPARATOR (DRY)

**Item 57.5:**

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

Emission Unit: U-R000B  
Process: RBG Source Classification Code: 1-02-006-02  
Process Description:  
The combustion of natural gas in the auxiliary boiler.

Emission Source/Control: SR00B - Combustion  
Design Capacity: 32.656 million Btu per hour

**Item 57.6:**

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

Emission Unit: U-R000W  
Process: RWW Source Classification Code: 5-01-007-01  
Process Description:  
Sludge from water treatment settling basins is dried at ambient temperature and stored. This material is loaded into trucks and hauled off-site for RCRA waste disposal.

Emission Source/Control: SR00W - Process

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

**Applicable Federal Requirement: 6 NYCRR 227-2.4 (c) (1)**

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-R000B

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

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

This condition applies to natural gas only firing mid-size boilers. The owner or operator shall submit a testing protocol to the Department for approval a minimum of 90 days prior to any stack testing.

The owner or operator will maintain records on-site for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN  
 Upper Permit Limit: 0.05 pounds per million Btus  
 Reference Test Method: 40 CFR 60 Appendix A - Method 7, 7E, or 19  
 Monitoring Frequency: Once every five years  
 Averaging Method: 1-HOUR AVERAGE  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

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

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

**Item 59.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-R000B

**Item 59.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

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

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

**Applicable Federal Requirement: 40CFR 63.7515(d), Subpart DDDDD**

**Item 60.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-R000B

**Item 60.2:**

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boilers are required to meet an applicable tune-up work practice standard, you must conduct an annual, biennial, or 5-year performance tune-up according to 40 CFR §63.7540(a)(10), (11), or (12), respectively.

Each annual tune-up specified in §63.7540(a)(10) must be no more than 13 months after the previous tune-up. Each biennial tune-up specified in §63.7540(a)(11) must be conducted no more than 25 months after the previous tune-up.

Each 5-year tune-up specified in §63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up.

For a new or reconstructed affected source (as defined in §63.7490), the first annual, biennial, or 5-year tune-up must be no later than 13 months, 25 months, or 61 months, respectively, after April 1, 2013 or the initial startup of the new or reconstructed affected source, whichever is later.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

**Applicable Federal Requirement:40CFR 63.7540(a), Subpart DDDDD**

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-R000B

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an industrial, commercial, and institutional boiler or process heater must demonstrate continuous compliance with each emission limit in Tables 1 and 2 or 11 through 13 to subpart DDDDD, the work practice standards in Table 3 to subpart DDDDD, and the operating limits in Table 4 to subpart DDDDD that applies to you

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

according to the methods specified in Table 8 to subpart DDDDD and 40 CFR 63.7540(a)(1) through (19).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40CFR 63.7550(b), Subpart DDDDD**

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-R000B

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Unless the EPA Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the owner or operator must submit each report, according to 40 CFR 63.7550(h), by the date in Table 9 to subpart DDDDD and according to the requirements in paragraphs (1) through (4). For units that are subject only to a requirement to conduct subsequent annual, biennial, or 5-year tune-up according to 40 CFR 63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or Table 4 operating limits, the owner or operator may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in paragraphs (1) through (4), instead of a semi-annual compliance report.

(1) The first semi-annual compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in 40 CFR 63.7495 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for the owner or operator's source in 40 CFR 63.7495. If submitting an annual, biennial, or 5-year compliance report, the first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in 40 CFR 63.7495 and ending on December 31 within 1, 2, or 5 years, as applicable, after the compliance date that is specified for the owner or operator's source in 40 CFR 63.7495.

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

(2) The first semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each boiler or process heater in 40 CFR 63.7495. The first annual, biennial, or 5-year compliance report must be postmarked or submitted no later than January 31.

(3) Each subsequent semi-annual compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

(4) Each subsequent semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31.

(5) For each affected source that is subject to permitting regulations pursuant to part 70 or part 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), the owner or operator may submit the first and subsequent compliance reports according to the dates the permitting authority has established in the permit instead of according to the dates in paragraphs (1) through (4).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Applicable Federal Requirement: 40CFR 63.7550(c), Subpart DDDDD**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-R000B

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

All compliance reports for 40 CFR 63 Subpart DDDDD must contain the information required in 40 CFR 63.7550(c)(1) through (5).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 64: General provisions  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.7565, Subpart DDDDD**

**Item 64.1:**

This Condition applies to Emission Unit: U-R000B

**Item 64.2:**

Table 10 to subpart DDDDD shows which parts of the General Provisions in 40 CFR 63.1 through 63.15 apply to the facility. The owner or operator is responsible for ensuring they comply with all General Provisions contained in Table 10.

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

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

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

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

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

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

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

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

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

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

#### STATE ONLY APPLICABLE REQUIREMENTS

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

**Condition 65: Contaminant List  
Effective for entire length of Permit**

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

**Item 65.1:**

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

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

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE

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

**Condition 66: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 201-1.4**

**Item 66.1:**

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

(b) The facility owner or operator shall compile and maintain records of all equipment maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 67: CLCPA Applicability**  
**Effective for entire length of Permit**

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

**Item 67.1:**

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 68: Compliance Demonstration**  
**Effective for entire length of Permit**

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

**Applicable State Requirement: 6 NYCRR 242-1.5****Item 68.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 68.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators and, to the extent applicable, the CO<sub>2</sub> authorized account representative of each CO<sub>2</sub> budget source and each CO<sub>2</sub> 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 CO<sub>2</sub> requirements:

- (1) The owners and operators of each CO<sub>2</sub> budget source and each CO<sub>2</sub> budget unit at the source shall hold CO<sub>2</sub> allowances available for compliance deductions under Section 242-6.5, as of the CO<sub>2</sub> allowance transfer deadline, in the source's compliance account in an amount not less than the total CO<sub>2</sub> emissions for the control period from all CO<sub>2</sub> budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.
- (2) Each ton of CO<sub>2</sub> emitted in excess of the CO<sub>2</sub> budget emissions limitation shall constitute a separate violation of this Part and applicable state law.
- (3) A CO<sub>2</sub> 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) CO<sub>2</sub> allowances shall be held in, deducted from, or transferred among CO<sub>2</sub> Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.
- (5) A CO<sub>2</sub> 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 CO<sub>2</sub> allowance was allocated. A CO<sub>2</sub> 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).

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

(6) A CO2 allowance under the CO2 Budget Trading Program is a limited authorization by the Department or a participating state to emit one ton of CO2 in accordance with the CO2 Budget Trading Program. No provision of the CO2 Budget Trading Program, the CO2 budget permit application, or the CO2 budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit such authorization.

(7) A CO2 allowance under the CO2 Budget Trading Program does not constitute a property right.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 69: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 69.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

**Item 69.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Annual Compliance Certification Report:

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

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

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

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

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

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

(c) In the compliance certification report the CO<sub>2</sub> authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the CO<sub>2</sub> budget units at the source in compliance with the CO<sub>2</sub> Budget Trading Program, whether the source and each CO<sub>2</sub> budget unit at the source for which the compliance certification is submitted was operated during the calendar years covered by the report in compliance with the requirements of the CO<sub>2</sub> Budget Trading Program, including:

(1) whether the source was operated in compliance with the CO<sub>2</sub> requirements of section 242-1.5(c) of this Part;

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

(3) whether all the CO<sub>2</sub> emissions from the units at the source were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 242-8 of this Part. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

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

(5) if a change is required to be reported under paragraph (c)(4) above, specify the nature of the change, the reason

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075

for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Permit ID: 3-3346-00075/00008

Facility DEC ID: 3334600075