

# PERMIT Under the Environmental Conservation Law (ECL)

#### **IDENTIFICATION INFORMATION**

Permit Type: Air State Facility
Permit ID: 4-0101-00036/02002

Effective Date: 12/15/2010 Expiration Date: No expiration date

Permit Issued To:ALBANY MEDICAL CENTER

47 NEW SCOTLAND AVE ALBANY, NY 12208-3412

Contact: STEVE QUINN

43 NEW SCOTLAND AVE

MC-87

ALBANY, NY 12208-3478

(518) 262-3913

Facility: ALBANY MEDICAL CENTER

43 NEW SCOTLAND AVE ALBANY, NY 12208

#### Description:

THIS PROJECT INTENDS TO INSTALL A NEW COMBINED-CYCLE COMBUSTION TURBINE AT THE HOSPITAL IN ORDER TO SUPPLY ELECTRICITY AND STEAM FOR HEATING THE HOSPITAL COMPLEX. THE PROJECT IS CALLED THE COMBINED HEAT AND POWER FACILITY (CHP FACILITY) AND WILL BURN ONLY NATURAL GAS IN ORDER TO PRODUCE 4.6 MW OF ELECTRICITY. THE PROJECT ALSO INCLUDES A 48 mmBtu/hr DUCT BURNER, HEAT RECOVERY STEAM GENERATOR (HRSG), BLACK START DIESEL GENERATOR, COOLING TOWERS, GAS COMPRESSORS, AND CHILLERS.

THE OVERALL DIMENSIONS ARE APPROXIMATELY 186 FEET DEEP BY 95 FEET WIDE BY 35 FEET HIGH (EXCLUSIVE OF ROOF MOUNTED EQUIPMENT AND TURBINE EXHAUST STACK). THE PROPOSED STACK HEIGHT IS 95 FEET ABOVE GRADE TO ALLOW FOR PROPER DISPERSION OF THE EXHAUST AND REDUCTION OF NOISE.



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:	ANGELO A MARCUCCIO		
	NYSDEC		
	1130 N WESTCOTT RD		
	SCHENECTADY, NY 12306-2014		
Authorized Signature:		Date:	/ /



#### **Notification of Other State Permittee Obligations**

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



#### LIST OF CONDITIONS

#### DEC GENERAL CONDITIONS

#### **General Provisions**

Facility Inspection by the Department Relationship of this Permit to Other Department Orders and Determinations

Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department
Facility Level

Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS



# DEC GENERAL CONDITIONS \*\*\*\* General Provisions \*\*\*\* GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

#### Item 1.1:

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

#### Item 1.2:

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

#### Item 1.3:

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

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

#### Item 2.1:

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

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

#### Item 3.1:

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

#### Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

#### Item 3.3:

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

DEC Permit Conditions
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**Applicable State Requirement:** 6 NYCRR 621.13

#### Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 4

**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 4 Headquarters Division of Environmental Permits 1130 North Westcott Rd. Schenectady, NY 12306-2014 (518) 357-2069



Permit Under the Environmental Conservation Law (ECL)

#### ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY

### **PERMIT**

#### **IDENTIFICATION INFORMATION**

Permit Issued To:ALBANY MEDICAL CENTER 47 NEW SCOTLAND AVE ALBANY, NY 12208-3412

Facility: ALBANY MEDICAL CENTER

43 NEW SCOTLAND AVE ALBANY, NY 12208

Authorized Activity By Standard Industrial Classification Code:

8062 - GENERAL MEDICAL & SURGICAL HOSPITALS

8221 - COLLEGES AND UNIVERSITIES, NEC

Permit Effective Date: 12/15/2010 Permit Expiration Date: No expiration

date.



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#### LIST OF CONDITIONS

# FEDERALLY ENFORCEABLE CONDITIONS Facility Level

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- 2 6 NYCRR 200.7: Maintenance of Equipment
- 3 6 NYCRR 201-1.7: Recycling and Salvage
- 4 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 5 6 NYCRR 201-3.2 (a): Exempt Sources Proof of Eligibility
- 6 6 NYCRR 201-3.2 (a): Compliance Demonstration
- 7 6 NYCRR 201-3.3 (a): Trivial Sources Proof of Eligibility
- 8 6 NYCRR 202-1.1: Required Emissions Tests
- 9 6 NYCRR 200.6: Compliance Demonstration
- 10 6 NYCRR 200.6: Compliance Demonstration
- 11 6 NYCRR 200.6: Compliance Demonstration
- 12 6 NYCRR 200.6: Compliance Demonstration
- 13 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 14 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification if a COM is used
- 15 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 16 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 17 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 18 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 19 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods Waiver
- 20 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 21 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 22 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 23 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 24 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 25 40CFR 60.9, NSPS Subpart A: Availability of information.
- 26 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
- 27 40CFR 60.12, NSPS Subpart A: Circumvention.
- 28 40CFR 60.4205(b), NSPS Subpart IIII: Compliance Demonstration
- 29 40CFR 60.4208, NSPS Subpart IIII: Stationary CI-IC Engines -Installation and importing deadlines for engines produced in the previous model year
- 30 40CFR 60.4211(a), NSPS Subpart IIII: Compliance Demonstration
- 31 40CFR 60.4211(e), NSPS Subpart IIII: Compliance Demonstration
- 32 40CFR 60.4214(b), NSPS Subpart IIII: Compliance Demonstration
- 33 40CFR 60.4218, NSPS Subpart IIII: General Provisions

#### **Emission Unit Level**

#### EU=0-00001

- 34 40CFR 60.4207(b), NSPS Subpart IIII: Compliance Demonstration
- 35 40CFR 60.4207(b), NSPS Subpart IIII: Compliance Demonstration
- 36 40CFR 60.4207(b), NSPS Subpart IIII: Compliance Demonstration
- 37 40CFR 60.4209(a), NSPS Subpart IIII: Compliance Demonstration
- 38 40CFR 60.4320(a), NSPS Subpart KKKK: Compliance Demonstration



- 39 40CFR 60.4340(b), NSPS Subpart KKKK: Alternative means of demonstrating compliance
- 40 40CFR 60.4355, NSPS Subpart KKKK: Proper parameter monitoring plan
- 41 40CFR 60.4360, NSPS Subpart KKKK: Total sulfur content in fuel used in a combustion turbine
- 42 40CFR 60.4395, NSPS Subpart KKKK: Reporting requirements
- 43 40CFR 60.4400(a), NSPS Subpart KKKK: Test methods for NOx

#### EU=0-00001,Proc=0P1

- 44 40CFR 60.4330, NSPS Subpart KKKK: Compliance Demonstration
- 45 40CFR 60.4340(b), NSPS Subpart KKKK: Compliance Demonstration
- 46 40CFR 60.4375(a), NSPS Subpart KKKK: Compliance Demonstration

#### EU=0-00002

47 40CFR 60.4211(c), NSPS Subpart IIII: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### **Facility Level**

- 48 ECL 19-0301: Contaminant List
- 49 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 50 6 NYCRR Subpart 201-5: Emission Unit Definition
- 51 6 NYCRR 211.2: Air pollution prohibited

#### **Emission Unit Level**

52 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit



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# FEDERALLY ENFORCEABLE CONDITIONS \*\*\*\* Facility Level \*\*\*\*

#### NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

#### Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

#### Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

#### Item C: Maintenance of Equipment - 6 NYCRR 200.7

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.

### Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

#### Item E: Emergency Defense - 6 NYCRR 201-1.5

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

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - (4) The facility owner and/or operator notified the

#### Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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



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

#### Item F: Recycling and Salvage - 6 NYCRR 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

# Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

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.

#### Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

# Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

#### Item J: Required Emission Tests - 6 NYCRR 202-1.1



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

#### Item K: Visible Emissions Limited - 6 NYCRR 211.3

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.

#### Item L: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allowor permit the burning of any materials in an open fire.

#### Item M: 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 N: 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



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regulations.

#### FEDERAL APPLICABLE REQUIREMENTS The following conditions are federally enforceable.

Condition 1: Acceptable Ambient Air Quality

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

#### Item 1.1:

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

**Condition 2:** Maintenance of Equipment

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

#### Item 2.1:

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

Condition 3: Recycling and Salvage

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-1.7

#### Item 3.1:

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

Condition 4: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-1.8

#### Item 4.1:

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



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them to the outdoor atmosphere.

**Condition 5:** Exempt Sources - Proof of Eligibility

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 5.1:

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 6: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

#### Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As proof of exempt eligibility for the emergency generators, the facility must maintain monthly records which demonstrate that each engine is operated less than 500 hours per year, on a 12-month rolling total basis.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 7: Trivial Sources - Proof of Eligibility

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 7.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control



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requirements, regulations, or law.

**Condition 8: Required Emissions Tests** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 202-1.1

#### Item 8.1:

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 9: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

#### Item 9.1:

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

Emission Unit: 0-00001

Process: 0P2

Regulated Contaminant(s):

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

#### Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING Monitoring Description:

The facility shall not allow emissions of NOx from the combustion turbine during periods when the duct burners are firing to exceed 15.0 ppm by volume on a block hour average, measured on a dry basis and corrected to 15% oxygen. This emission limit does not apply during periods of startup and shutdown.

Compliance with this limit shall be determined by performing a stack test once every five years using EPA Method 7 or an alternate test method that is approved prior to the test by NYSDEC.

Parameter Monitored: OXIDES OF NITROGEN Upper Permit Limit: 15.0 parts per million by volume

(dry, corrected to 15% O2)

Reference Test Method: EPA Method 7 Monitoring Frequency: Once every five years Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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**Condition 10: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

#### Item 10.1:

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

Emission Unit: 0-00001

Process: 0P2

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

#### Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility shall not allow emissions of carbon monoxide (CO) from the combustion turbine during periods when the duct burner is firing to exceed 25.0 ppm by volume on a block hour average, measured on a dry basis and corrected to 15% oxygen. This emission limit does not apply during periods of startup and shutdown.

Compliance with this limit shall be demonstrated by performing a stack test every five years using EPA Method 10 or an alternative test method previously approved by the NYSDEC.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 25.0 parts per million by volume

(dry, corrected to 15% O2)

Reference Test Method: EPA Method 10 Monitoring Frequency: Once every five years Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 11: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

#### Item 11.1:

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

Emission Unit: 0-00001

Process: 0P1



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Regulated Contaminant(s):

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

#### Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility shall not allow emissions of NOx from the combustion turbine during periods when the duct burners are not firing to exceed 5.0 ppm by volume on a block hour average, measured on a dry basis and corrected to 15% oxygen. This emission limit does not apply during periods of startup and shutdown.

Compliance with this limit shall be determined by performing a stack test once every five years using EPA Method 7 or an alternate test method that is approved prior to the test by NYSDEC.

Parameter Monitored: OXIDES OF NITROGEN Upper Permit Limit: 5.0 parts per million by volume

(dry, corrected to 15% O2)

Reference Test Method: EPA Method 7 Monitoring Frequency: Once every five years Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 12: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

#### Item 12.1:

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

Emission Unit: 0-00001

Process: 0P1

Regulated Contaminant(s):

CAS No: 000630-08-0 **CARBON MONOXIDE** 

#### Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility shall not allow emissions of carbon monoxide (CO) from the combustion turbine during periods when the duct burners are not firing to exceed 10.0 ppm by volume

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on a block hour average, measured on a dry basis and corrected to 15% oxygen. This emission limit does not apply during periods of startup and shutdown.

Compliance with this limit shall be demonstrated by performing a stack test every five years using EPA Method 10 or an alternative test method previously approved by the NYSDEC.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 10.0 parts per million by volume

(dry, corrected to 15% O2)

Reference Test Method: EPA Method 10 Monitoring Frequency: Once every five years Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 13:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 13.1:

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

Emission Unit: 0-00001

#### Item 13.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any



necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up Method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY Upper Permit Limit: 20 percent Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9) Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 14: Date of Construction Notification - if a COM is used

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 14.1:

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

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system



performance commences, post marked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date, if a continuous opacity monitor is not being used at the facility; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, post marked not less than 30 days prior to the performance test.

**Condition 15:** Modification Notification

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 15.1:

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

**Condition 16:** Recordkeeping requirements.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 16.1:

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

Condition 17: Facility files for subject sources.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 17.1:

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



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**Condition 18:** Performance testing timeline.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 18.1:

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

**Condition 19: Performance Test Methods - Waiver** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 19.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrators satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 20:** Performance test methods.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 20.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

**Condition 21:** Required performance test information.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 21.1:

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

**Condition 22:** Prior notice.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

Item 22.1:



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

**Condition 23:** Performance testing facilities.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 23.1:

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

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

Condition 24: Number of required tests.

Effective between the dates of 12/15/2010 and Permit Expiration Date

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

#### Item 24.1:

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 25: Availability of information.

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

#### Item 25.1:

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

Condition 26: Compliance with Standards and Maintenance Requirements

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.11(d), NSPS Subpart A

#### Item 26.1:

At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.



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**Condition 27:** Circumvention.

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

#### Item 27.1:

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

**Condition 28:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4205(b), NSPS Subpart IIII

#### Item 28.1:

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

Emission Unit: 0-00002

Regulated Contaminant(s):

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

#### Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

The owner or operator of a 2007 model year or later emergency stationary compression ignition (CI) internal combustion engine with a maximum engine power less than or equal to 2,237 kW (3,000 HP) that is not a fire pump engine and has a displacement of less than 10 liters/cylinder will require certification to the following emission standards:

- 2. For engines with a maximum engine power greater than or equal to 37 kW (50 HP):
- emission standards specified in 40 CFR 89.112 and 40 CFR 89.113, as applicable, for all pollutants, for the same model year and maximum engine power.

Compliance with this requirement will be established by purchasing an engine certified to the applicable emission standard referenced above and installed and configured according to the manufacturers specifications. Records documenting these actions must be kept on-site.



Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/13/2012 for the period 12/15/2010 through 12/14/2011

Condition 29: Stationary CI-IC Engines - Installation and importing deadlines for engines produced in the previous model year

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4208, NSPS Subpart IIII

#### Item 29.1:

Owners or operators are subject to the following deadlines for importing or installing stationary compression ignition internal combustion (CI-IC) engines produced in the previous model year: (a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

- (b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.
- (c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.
- (d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.
- (e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.
- (f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.
- (g) In addition to the requirements specified in §§60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import a stationary CI IC engine with a displacement of less than 30 liters per cylinder that does not meet the applicable requirements specified in paragraphs (a) through (f) above after the dates specified in those paragraphs.
- (h) The deadlines listed above do not apply to owners or operators of a stationary CI IC engine that has been modified, reconstructed, and does not apply to engines that were removed from one existing location and reinstalled at a new location.

Condition 30: Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4211(a), NSPS Subpart IIII



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#### Item 30.1:

The Compliance Demonstration activity will be performed for the Facility.

#### Item 30.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

The owner or operator and must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must operate and maintain the stationary compression ignition internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. The owner or operator must also meet the requirements of 40 CFR parts 89, 94 and/or 1068.

Reporting Requirements: ANNUALLY (CALENDAR) Reports due 30 days after the reporting period. The initial report is due 1/30/2011. Subsequent reports are due every 12 calendar month(s).

**Condition 31: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4211(e), NSPS Subpart IIII

#### Item 31.1:

The Compliance Demonstration activity will be performed for the Facility.

#### Item 31.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of



emergency ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under \$60.4205 but not \$60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.

Parameter Monitored: ENGINE OPERATION Upper Permit Limit: 100 hours per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

#### **Condition 32:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4214(b), NSPS Subpart IIII

#### Item 32.1:

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

Emission Unit: 0-00001

#### Item 32.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

For stationary CI internal combustion engines that are emergency stationary internal combustion engines, the owner or operator is not required to submit an initial notification.

Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter.

The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

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

The initial report is due 1/30/2011.



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

**Condition 33:** General Provisions

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4218, NSPS Subpart IIII

#### Item 33.1:

Table 8 of Subpart IIII shows which parts of the general provisions in §§60.1-60.19 (Subpart A) apply to any facility that is subject to 40 CFR 60, Subpart IIII.

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

**Condition 34:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4207(b), NSPS Subpart IIII

#### Item 34.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

#### Item 34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Beginning October 1, 2010, the owner or operator of a stationary compression ignition internal combustion engine with a displacement of less than 30 liters per cylinder and which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel above a maximum aromatic content of 35 percent per gallon as referenced in 40 CFR Part 80.510(b). Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the aromatic content for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL Process Material: DIESEL OIL



Parameter Monitored: AROMATIC CONTENT

Upper Permit Limit: 35 percent

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 35:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4207(b), NSPS Subpart IIII

#### Item 35.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

#### Item 35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC

**OPERATIONS** 

Monitoring Description:

Beginning October 1, 2010, the owner or operator of a stationary compression ignition internal combustion engine displacing less 30 liters per cylinder and which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel below a minimum cetane index of 40 per gallon as referenced in 40 CFR Part 80.510(b). Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the cetane index for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: CETANE INDEX

Lower Permit Limit: 40 ratio

Monitoring Frequency: PER DELIVERY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED

VALUE AT ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 1/30/2011. Subsequent reports are due every 12 calendar month(s).

**Condition 36:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4207(b), NSPS Subpart IIII

#### Item 36.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

#### Item 36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Beginning October 1, 2010, the owner or operator of a stationary compression ignition internal combustion engine displacing less than 30 liters per cylinder and which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire any diesel fuel which exceeds a sulfur content of 15 ppm per gallon as per the non-road diesel fuel sulfur content standard set forth in 40 CFR Part 80.510(b). Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the sulfur content or range of sulfur content for each shipment of non-road diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: SULFUR CONTENT Upper Permit Limit: 15 parts per million by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 37: Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

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Permit ID: 4-0101-00036/02002 Facility DEC ID: 4010100036

#### Applicable Federal Requirement:40CFR 60.4209(a), NSPS Subpart IIII

#### Item 37.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

#### Item 37.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an emergency stationary compression ignition IC engine must install and maintain a non-resettable hour meter prior to startup to monitor engine usage

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 38:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4320(a), NSPS Subpart

#### **KKKK**

#### Item 38.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

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

### Item 38.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING Monitoring Description:

For a facility with a new turbine firing natural gas and is used for the purpose of electrical generation, and if the combustion turbine heat input at peak load (HHV) is less than or equal to 50 mmBtu/hr, the facility must not exceed the NOx emission standard of 42 ppm at 15% O2.

Compliance with this emission standard shall be determined

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according to the annual performance tests as specified in §60.4340(a).

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 42 parts per million by volume (dry,

corrected to 15% O2)

Reference Test Method: EPA Method 7E or Met

Monitoring Frequency: ANNUALLY

Averaging Method: 3-HOUR BLOCK AVERAGE Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 39: Alternative means of demonstrating compliance

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4340(b), NSPS Subpart

#### **KKKK**

#### Item 39.1:

This Condition applies to Emission Unit: 0-00001

**Item 39.2:** As an alternate means of demonstrating compliance, the facility may install, calibrate, maintain and operate one of the following continuous monitoring systems:

- (1) Continuous emission monitoring as described in 40 CFR 60.4335(b) and 60.4345, or
- (2) Continuous parameter monitoring as follows:
- (i) For a diffusion flame turbine without add-on selective catalytic reduction (SCR) controls, you must define parameters indicative of the unit's NO<sub>X</sub> formation characteristics, and you must monitor these parameters continuously.
- (ii) For any lean premix stationary combustion turbine, you must continuously monitor the appropriate parameters to determine whether the unit is operating in low-NO $_X$ mode.
- (iii) For any turbine that uses SCR to reduce NO<sub>X</sub>emissions, you must continuously monitor appropriate parameters to verify the proper operation of the emission controls.
- (iv) For affected units that are also regulated under 40 CFR Part 75, with state approval you can monitor the NO<sub>X</sub>emission rate using the methodology in appendix E to 40 CFR Part 75 of this chapter, or the low mass emissions methodology in §75.19, the requirements of this paragraph
- (b) may be met by performing the parametric monitoring described in section 2.3 of part 75 appendix E or in \$75.19(c)(1)(iv)(H).

**Condition 40:** Proper parameter monitoring plan

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4355, NSPS Subpart KKKK

#### Item 40.1:

This Condition applies to Emission Unit: 0-00001

**Item 40.2:** The steam or water to fuel ratio or other parameters that are continuously monitored as described in §§60.4335 and 60.4340 must be monitored during the performance test required under §60.8, to establish acceptable values and ranges. You may supplement the performance



test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. You must develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NOxemission controls. The plan must:

- (1) Include the indicators to be monitored and show there is a significant relationship to emissions and proper operation of the  $NO_X$ emission controls,
- (2) Pick ranges (or designated conditions) of the indicators, or describe the process by which such range (or designated condition) will be established,
- (3) Explain the process you will use to make certain that you obtain data that are representative of the emissions or parameters being monitored (such as detector location, installation specification if applicable),
- (4) Describe quality assurance and control practices that are adequate to ensure the continuing validity of the data,
- (5) Describe the frequency of monitoring and the data collection procedures which you will use (e.g., you are using a computerized data acquisition over a number of discrete data points with the average (or maximum value) being used for purposes of determining whether an exceedance has occurred), and
- (6) Submit justification for the proposed elements of the monitoring. If a proposed performance specification differs from manufacturer recommendation, you must explain the reasons for the differences. You must submit the data supporting the justification, but you may refer to generally available sources of information used to support the justification. You may rely on engineering assessments and other data, provided you demonstrate factors which assure compliance or explain why performance testing is unnecessary to establish indicator ranges. When establishing indicator ranges, you may choose to simplify the process by treating the parameters as if they were correlated. Using this assumption, testing can be divided into two cases:
- (i) All indicators are significant only on one end of range (e.g., for a thermal incinerator controlling volatile organic compounds (VOC) it is only important to insure a minimum temperature, not a maximum). In this case, you may conduct your study so that each parameter is at the significant limit of its range while you conduct your emissions testing. If the emissions tests show that the source is in compliance at the significant limit of each parameter, then as long as each parameter is within its limit, you are presumed to be in compliance.
- (ii) Some or all indicators are significant on both ends of the range. In this case, you may conduct your study so that each parameter that is significant at both ends of its range assumes its extreme values in all possible combinations of the extreme values (either single or double) of all of the other parameters. For example, if there were only two parameters, A and B, and A had a range of values while B had only a minimum value, the combinations would be A high with B minimum and A low with B minimum. If both A and B had a range, the combinations would be A high and B high, A low and B low, A high and B low, A low and B high. For the case of four parameters all having a range, there are 16 possible combinations.

# Condition 41: Total sulfur content in fuel used in a combustion turbine Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4360, NSPS Subpart KKKK

#### Item 41.1:

This Condition applies to Emission Unit: 0-00001

**Item 41.2:** The total sulfur content of the fuel being fired in the turbine must be monitored, except as provided in §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in §60.4415. Alternatively, if the total sulfur content of the gaseous



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fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17), which measure the major sulfur compounds, may be used.

Condition 42: **Reporting requirements** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4395, NSPS Subpart KKKK

Item 42.1:

This Condition applies to Emission Unit: 0-00001

Item 42.2: All reports required under §60.7(c) must be postmarked by the 30th day following the end of each 6-month period.

Condition 43: Test methods for NOx

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4400(a), NSPS Subpart

KKKK

Item 43.1:

This Condition applies to Emission Unit: 0-00001

Item 43.2:

The facility must conduct an initial performance test, as required in §60.8. Subsequent performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

Performance tests shall be conducted according to the test methodologies listed in 60.4400(a)(1)-(3) as applicable.

**Condition 44: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4330, NSPS Subpart KKKK

Item 44.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Process: 0P1

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 44.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL



DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The emission limit for sulfur dioxide from a stationary combustion turbine is 0.060 lb SO2/MMBtu heat input.

The facility will demonstrate compliance with this standard by sampling the natural gas and conducting analyses for heating value and sulfur content according to the requirements in §60.4370 and 40 CFR Part 75, Appendix D.

The facility will initially collect a daily fuel sample for sulfur content for 30 consecutive operating days. If none of the 30 daily measurements exceeds half of the standard (0.03 lb SO2/mmBtu), subsequent sulfur content monitoring will be performed at 12-month intervals. If this criteria is not met during the initial 30-day monitoring period, the frequency of monitoring will be determined according to §60.4370.

Parameter Monitored: SULFUR CONTENT Upper Permit Limit: 0.06 pounds per million Btus

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION** 

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 45:** Compliance Demonstration

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4340(b), NSPS Subpart

#### KKKK

#### Item 45.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Process: 0P1

Regulated Contaminant(s):

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

#### Item 45.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

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In order for the facility to demonstrate continuous compliance with the NOx standard without the use of water

compliance with the NOx standard without the use of water or steam injection, the facility shall install, calibrate, maintain, and operate a continuous monitor to determine whether the turbine is operating in low-NOx mode.

The continuous monitor will measure certain parameters which will demonstrate compliance with the NOx limit in this permit. The parameters and the limits will be described in the parametric continuous monitoring plan described in §60.4355(a).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 46: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4375(a), NSPS Subpart

#### **KKKK**

#### Item 46.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Process: 0P1

Regulated Contaminant(s):

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

#### Item 46.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

The facility must submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 47: Compliance Demonstration** 

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4211(c), NSPS Subpart IIII

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#### Item 47.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00002

Regulated Contaminant(s):

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

#### Item 47.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

> Owners or operators of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4205(b), and must purchase an engine certified to the emission standards in §60.4205(b), for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power.

The engine must be installed and configured according to the manufacturer's specifications.

The manufacturer's certification of compliance with the emission standards specified in 40 CFR 60 Subpart IIII for major pollutants will be sent to the Department prior to commencement of operation of the engines.

Monitoring Frequency: SINGLE OCCURRENCE Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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



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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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

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**Condition 48:** Contaminant List

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

#### Item 48.1:

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 49: Unavoidable noncompliance and violations

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 201-1.4

#### Item 49.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.
- (b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective



action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

- (c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.
- (d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.
- (e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 50:** Emission Unit Definition

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR Subpart 201-5

#### Item 50.1:

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

Emission Unit: 0-00001 Emission Unit Description:

ONE SOLAR MERCURY 50 GAS TURBINE WITH A 48 mmBtu/hr DUCT BURNER AND HEAT RECOVERY STEAM GENERATOR (HRSG).

Building(s): CHP

#### Item 50.2:

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

Emission Unit: 0-00002 Emission Unit Description:

This emission unit is a 750 KW black start diesel engine for emergency use.

Building(s): CHP

Condition 51: Air pollution prohibited

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 211.2

Item 51.1:



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

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

**Condition 52:** Emission Point Definition By Emission Unit

Effective between the dates of 12/15/2010 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR Subpart 201-5

#### Item 52.1:

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

Emission Unit: 0-00001

Emission Point: 00001

Height (ft.): 95 Diameter (in.): 48

NYTMN (km.): 4723.25 NYTME (km.): 600.2 Building: CHP

