

Facility DEC ID: 8180200045

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-1802-00045/00022
Mod 0 Effective Date: 11/29/2021 Expiration Date: 11/28/2026

Mod 1 Effective Date: Expiration Date:

Permit Issued To:SENECA POWER PARTNERS LP
163 CEDAR ST
BATAVIA, NY 14020

Contact: GREGORY P SHARLAND
Seneca Power Partners
163 Cedar St
Batavia, NY 14020
(315) 393-9048

Facility: BATAVIA POWER PLANT
163 CEDAR ST
BATAVIA, NY 14020

Contact: GREGORY P SHARLAND
Seneca Power Partners
163 Cedar St
Batavia, NY 14020
(315) 393-9048

Description:
Modification 1 to Renewal 3 of Air Title V Facility permit for the Batavia Power Plant, a 57-megawatt steam and electrical power cogeneration facility located at 163 Cedar Street in the City of Batavia. Modification 1 is proposed to update the NOx RACT requirements for the gas turbine based on submission of a case-by-case NOx RACT analysis. This permit also includes a new condition limiting starter engine operation to a maximum of 500 hours per year. Modification 1 does not include any proposed equipment changes or additional controls.

Based on the latest analysis, the Department has determined that NOx RACT for the gas turbine is continuing to meet the NOx limit of 41ppm @15% O2 established in Renewal 3 using the existing steam injection system and limiting NOx emissions from the gas turbine to 220 tons per year. The NOx RACT analysis was submitted to fulfill the requirements of Condition 49 of the Renewal 3 permit. This modification updates the 6 NYCRR 227-2.4 requirements to include a 220 tons NOx per year limit for the gas turbine.

The single Facility Emission Unit includes a 551.3 million BTU per hour natural gas fired turbine generator, two 16 million BTU per hour natural gas fired steam backup boilers, a 10.9 million BTU per hour diesel powered backup plant electrical supply generator, and a diesel powered starting engine for the gas turbine. The facility remains subject to the requirements of

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6NYCRR Part 201-6 (Title V) for Major Stationary Sources due to potential emissions of oxides of nitrogen (NOX) and carbon monoxide (CO) in excess of 100 tons per year each.

The Title V permit retains the NOx cap in the initial Title V Permit, restricting facility NOx emissions to 499,800 pounds per year calculated on a rolling 12-month basis. This caps the facility's NOx emissions below the 250 ton per year applicability threshold in federal 40 CFR 52.21 Prevention of Significant

Deterioration (PSD) regulations. Since facility construction in 1990, the facility has operated with NOx emissions restricted to below 250 tons per year.

6 NYCRR Part 253 - Mandatory Greenhouse Gas Reporting Program was adopted on December 1, 2025. Applicable requirements have been added as part of this modification.

Pursuant to the requirements of Sections 7(2) and 7(3) of the Climate Leadership and Community Protection Act (CLCPA), the Department has requested and received information regarding the project's consistency with the CLCPA.

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: THOMAS P HALEY
6274 E AVON LIMA RD
AVON, NY 14414-9519

Authorized Signature: _____ Date: ___ / ___ / ___

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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DEC 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 1-1: Applications for permit renewals, modifications and transfers**Applicable State Requirement: 6 NYCRR 621.11****Item 1-1.1:**

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 1-1.2:

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

Item 1-1.3

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

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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 8 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 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(585) 226-2466

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: SENECA POWER PARTNERS LP
163 CEDAR ST
BATAVIA, NY 14020

Facility: BATAVIA POWER PLANT
163 CEDAR ST
BATAVIA, NY 14020

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4931 - ELEC & OTHER SERVICES COMBINED
4961 - STEAM SUPPLY

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EU=1-CMBTN,Proc=ALL,ES=000GT

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 3/Mod 1/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

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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

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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

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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.

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

Condition 20: Emission Unit Definition

Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 20.1 (From Mod 1):

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

Emission Unit: 1-CMBTN

Emission Unit Description:

This Emission Unit consists of a single General Electric Frame 6 gas turbine and heat recovery steam generator (HRSG) with steam injection (EP 00001); two identical natural gas fired 16 MMBtu/hr auxiliary boilers with a

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combined stack (EP 00002); and a distillate oil fired starting engine for the gas turbine (EP 00006) which are used for electricity generation and steam production. This emission unit also includes a permit-exempt auxiliary generator firing distillate fuel oil.

Building(s): 1

Condition 25: Facility Permissible Emissions
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 25.1:

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

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

per year	CAS No: 000630-08-0 (From Mod 1)	PTE: 499,800 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 0NY210-00-0 (From Mod 1)	PTE: 499,800 pounds
	Name: OXIDES OF NITROGEN	

Condition 1-1: Statement dates for emissions statements.
Effective for entire length of Permit

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

Item 1-1.1:

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 1-2: Compliance Certification
Effective for entire length of Permit

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

Item 1-2.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-2.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation at a Title V facility subject to this Subpart shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator shall conduct a Method 9 test annually. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, Appendix A, Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 1-3: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 227-2.4 (e) (2)

Item 1-3.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

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

Item 1-3.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

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Monitoring Description:

In accordance with the requirements for combined cycle combustion turbine under 6 NYCRR 227-2.4(e)(2), the gas turbine (ES 000GT) is subject to case-by-case NO_x RACT. Based on this analysis, the Department has determined that NO_x RACT for the gas turbine is limiting emissions from the gas turbine below 220 tons per year and continuing to meet the 41 ppm NO_x limit using steam injection.

Accordingly, NO_x emissions from the gas turbine (ES GT001) are limited to 41 ppmv (dry, corrected to 15% oxygen) on an hourly block average basis. NO_x emissions from the turbine must be controlled through the existing steam injection process consistent with the original manufacturer's specifications. To demonstrate compliance with this limit, NO_x emissions from the gas turbine must be monitored via a continuous emission monitoring system (CEMS) or another system approved by the Department. Facility owners or operators required to use 40 CFR Part 75 monitoring reference methods are required to do so. Other facility owners or operators may use either 40 CFR Part 60 or 40 CFR Part 75 monitoring reference methods.

The facility owner or operator must submit quarterly excess emissions and monitoring systems performance report. These reports may be combined with the quarterly monitoring reports required elsewhere in this permit.

CEMS data and records of submitted reports must be maintained for a period of at least five years and made available upon request.

Manufacturer Name/Model Number: CISCO NO_x Monitor

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 41 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 1-4: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2)

Item 1-4.1:

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The Compliance Certification activity will be performed for the Facility.

Item 1-4.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must prepare and submit an updated case-by-case RACT analysis for the gas turbine (ES 000GT) with the permit renewal application or upon modification of the gas turbine or permit, as applicable.

Monitoring Frequency: UPON PERMIT RENEWAL

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 1-5: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2)

Item 1-5.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

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

Item 1-5.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

In accordance with the requirements for combined cycle combustion turbines under 6 NYCRR 227-2.4(e)(2), the gas turbine (ES 000GT) is subject to case-by-case NOx RACT. The facility owner or operator submitted a case-by-case NOx RACT analysis demonstrating that at annual emissions of 220 tons NOx per year from the gas turbine the installation of additional NOx controls are not economically feasible. The Department has reviewed the RACT analysis and determined that NOx RACT for the gas turbine is limiting emissions from the gas turbine below 220 tons per year and continuing to meet the 41 ppm NOx limit using steam injection specified elsewhere in this permit.

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Accordingly, annual NOx emissions from the gas turbine are limited to less than or equal to 220 tons per year on a 12-month rolling basis. To demonstrate compliance with this limit, the facility must determine the actual 12-month rolling NOx emissions from the gas turbine (in pounds per year) on a monthly basis using CEMS data. During periods where the CEMS is out-of-control the facility must use acceptable data substitution procedures in accordance with 40 CFR Part 75.

The facility owner or operator must submit reports of gas turbine emissions demonstrating compliance with this limit on an annual basis. These reports may be combined with the quarterly monitoring reports or annual capping reports required elsewhere in this permit.

Gas turbine emissions and submitted reports must be maintained for a period of at least five years and made available to the Department upon request.

Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 220 tons per year
 Monitoring Frequency: MONTHLY
 Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 12 calendar month(s).

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

Condition 43: Emission Point Definition By Emission Unit
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 43.1(From Mod 1):

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

Emission Unit: 1-CMBTN

Emission Point: 00001
 Height (ft.): 150 Diameter (in.): 132
 NYTMN (km.): 4763.921 NYTME (km.): 242.429 Building: 1

Emission Point: 00002
 Height (ft.): 76 Diameter (in.): 36
 NYTMN (km.): 4763.921 NYTME (km.): 242.429 Building: 1

Emission Point: 00006
 Height (ft.): 20 Diameter (in.): 12

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NYTMN (km.): 4763.921 NYTME (km.): 242.429 Building: 1

Condition 44: Process Definition By Emission Unit
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 44.1 (From Mod 1):

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

Emission Unit: 1-CMBTN

Process: ALL

Source Classification Code: 2-03-002-03

Process Description:

This process includes the turbine/HRSG, firing natural gas; auxiliary boilers (one or both) firing natural gas; and the starting engine firing distillate oil; all operating simultaneously, or in any combination to generate electricity or steam.

Emission Source/Control: 000GT - Combustion

Design Capacity: 551.3 million Btu per hour

Emission Source/Control: AUXB2 - Combustion

Design Capacity: 16 million Btu per hour

Emission Source/Control: AUXBS - Combustion

Design Capacity: 16 million Btu per hour

Emission Source/Control: DETEN - Combustion

Design Capacity: 4.61 million Btu per hour

Emission Source/Control: 0SINJ - Control

Control Type: STEAM OR WATER INJECTION

Condition 45: Emission Unit Permissible Emissions
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 1
Applicaton Specific Data

Condition 49: Compliance Certification
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 1

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

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Facility DEC ID: 8180200045

Process: ALL

Emission Source: 000GT

Regulated Contaminant(s):

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

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In accordance with the requirements for combined cycle combustion turbine under 6 NYCRR 227-2.4(e)(2), the gas turbine is subject to case-by-case NOx RACT. To demonstrate compliance with this requirement the facility owner or operator must submit an addendum to the case-by-case NOx RACT analysis submitted August 16, 2021 within 30 days of the effective date of this permit evaluating the feasibility of add-on/other NOx controls and process adjustments.

The analysis must be prepared in accordance with NYSDEC Program Policy DAR-20: Economic and Technical Analysis for Reasonably Available Control Technology (RACT). If the addendum RACT analysis demonstrates that add-on controls or process adjustments are technically and economically feasible, the facility owner or operator must submit a permit modification application within 90 days of the analysis incorporating the additional NOx controls or limits, as applicable. Any permit application must include any new requirements (for example, emission limits, monitoring, and record keeping requirements) and a how the facility intends to comply with the provisions of this Subpart.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

Condition 50: Compliance Certification

Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 1

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: 000GT

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Regulated Contaminant(s):

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

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

In accordance with 6 NYCRR 227-2.4(e)(2) and the RACT analysis evaluating the technical feasibility of adjustments to the existing steam injection system, Oxides of Nitrogen (NO_x) emissions from the gas turbine (ES GT001) are limited to 41 ppmv (dry, corrected to 15% oxygen) on an hourly block average basis.

NO_x emissions from the turbine must be controlled through the existing steam injection process consistent with the original manufacturer's specifications. To demonstrate compliance with this limit, NO_x emissions from the gas turbine must be monitored via a continuous emission monitoring system (CEMS) or another system approved by the Department. Facility owners or operators required to use 40 CFR Part 75 monitoring reference methods are required to do so. Other facility owners or operators may use either 40 CFR Part 60 or 40 CFR Part 75 monitoring reference methods.

The facility owner or operator must submit quarterly excess emissions and monitoring systems performance report. These reports may be combined with the quarterly monitoring reports required elsewhere in this permit.

CEMS data and records of submitted reports must be maintained for a period of at least five years and made available upon request.

Manufacturer Name/Model Number: NO_x Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 41 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

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

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

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

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

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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 54: Contaminant List
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 54.1:

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

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

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

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

Condition 56: CLCPA Applicability
Effective between the dates of 11/29/2021 and Permit Expiration Date

Applicable State Requirement:

Expired by Mod 1

Item 56.1:

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

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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 1-6: Compliance Demonstration
Effective for entire length of Permit**

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

Item 1-6.1:

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

Emission Unit: 1-CMBTN

Process: ALL

Emission Source: DETEN

Item 1-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Consistent with the CLCPA Section 7(2) Analysis submitted as part of the Ren 3, Mod 1 application, the diesel-fired starter engine for the turbine (ES DETEN) is limited to 500 hours of operation per year, on a 12-month rolling total basis.

To demonstrate compliance with this limit the facility owner or operator must monitor and record the hours of starter engine operation on a monthly basis and incorporate into a 12-month rolling total. Operating hours monitored using a non-resettable hour meter installed on the engine.

Records of operating hours must be maintained for a period of at least five years and be made available to the Department upon request.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 500 hours

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 1-7: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 253-1.4

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Item 1-7.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of facilities that contain emission sources specified in Section 253-1.2 of this Part must monitor emissions and submit emissions data reports to the Department, except as otherwise provided in Part 253, following the requirements specified in 40 CFR Sections 98.3 through 98.4 (Amended November 18, 2024) (see Table 1, section 200.9 of this Title).

Owners or operators shall submit emissions data reports and any revisions to the reports through the NYS e-GGRT platform, or any other reporting tool approved by the Department that will guarantee transmittal and receipt of data and information required by Part 253. Each owner or operator must submit an emissions data report for the previous calendar year no later than June 1st of the current calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-8: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 253-1.7

Item 1-8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each emission source that is required to report greenhouse gases under this Part, which emits a minimum of 10,000 metric tons (MT) of CO₂e but less than 25,000 MT of CO₂e, must keep records as required by 40 CFR Sections 98.3(g) through (h) (Amended November 18, 2024) (see Table 1, Section 200.9 of this Title) and as specified in this Subpart or as prescribed in the relevant Section(s) of Subpart 2 of this Part.

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The following emission sources must maintain records on-site or at an alternative location approved by the Department for a period of five years from the date of emissions data report certification:

Emission sources that do not meet the threshold requirements pursuant to paragraph 253-1.2(f) of this Part or are not required to verify their emissions pursuant to Subpart 253-4 of this Part during any reporting year, must maintain required records for a period of five years from the date of certification.

Copies of any records or other materials maintained under the requirements of 40 CFR Part 98 (Amended November 18, 2024) (see Table 1, section 200.9 of this Title) or this Part must be made available to the Department upon request within 14 days of receipt of such request by the designated representative of the reporting entity, unless a different schedule is agreed to by the Department.

Emission sources must maintain the following records, including but not limited to:

- (1) Information used to quantify or report emissions and product data in the emissions data report, underlying monitoring and metering data, invoices of receipts or deliveries, sales transaction data, calculation methods, protocols used, analysis results, calibration records, electricity transaction data, and other relevant information.
- (2) A list of units, operations, processes, and activities for which GHG emissions were calculated.
- (3) The data used to calculate the GHG emissions for each unit, operation, process and activity categorized by fuel or material type. These data include but are not limited to:
 - (i) the GHG emissions calculations and methods used;
 - (ii) analytical results for the development of site-specific emission factors;
 - (iii) the results of all required analyses for high heat value, carbon content, and other required fuel or feed stock parameters;
 - (iv) emissions data and input data, industrial product data and associated inputs; data associated with thermal energy provided, sold, purchased, or acquired; and data associated with electricity provided, sold, purchased, or acquired must be sufficient to allow for verification of each emissions data report; and
 - (v) any facility operating data or process information used for the GHG calculations.

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- (4) The annual GHG emissions data reports.
- (5) Missing data computations for each missing data event, the cause of each event and the corrective actions taken to restore malfunctioning monitoring equipment.
- (6) Continuous monitoring system records. The results of all required certification and quality assurance tests for continuous monitoring systems, fuel flow meters, and other instrumentation used to provide data for the GHG emissions reported under this Part.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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