

New York State Department of Environmental Conservation
Facility DEC ID: 8463800027



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-4638-00027/00011
Mod 0 Effective Date: 02/27/1998 Expiration Date: No expiration date.
Mod 1 Effective Date: 10/03/2006 Expiration Date: No expiration date.

Permit Issued To: COLUMBIA GAS TRANSMISSION CORP
PO BOX 1273
CHARLESTON, WV 25325-1273

Contact: P M HOFFMAN
COLUMBIA GAS TRANSMISSION CORP
1700 MACCCORKLE AVE, SE
CHARLESTON, WV 25325-1273
(304) 357-2548

Facility: CORNING COMPRESSOR STATION
4401 COLLEGE AVE
CORNING, NY 14830-9115

Contact: P M HOFFMAN
COLUMBIA GAS TRANSMISSION CORP
1700 MACCCORKLE AVE, SE
CHARLESTON, WV 25325-1273
(304) 357-2548

Description:
Modification of Initial Air State Facility Permit issued February 27, 1998 for a natural gas pipeline compressor station, for expanded operations associated with the Millennium Pipeline Project.

The Initial Permit authorized operation of a 1240 bhp natural gas fired reciprocating compressor engine and other minor sources for natural gas pipeline operation. The modified Air State Facility Permit authorizes the addition of a 15002 bhp natural gas fired turbine powered compressor, and a natural gas fired 250 kilowatt auxiliary generator, for additional pipeline operations.

Potential emissions of the expanded compressor station are below the thresholds which define a Major Source in 6 NYCRR Part 201-2.1(b)(21). Contaminants emitted include particulates, PM-10, NOX, SO₂, and CO, with potential emissions of less than 100 tons per year each; VOC, with potential emissions of less than 50 tons per year; HAP, with potential emissions of less than 25 tons per year; and formaldehyde, with potential emissions less than 10 tons per year.

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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: DAVID L BIMBER
 DIVISION OF ENVIRONMENTAL PERMITS
 6274 EAST AVON LIMA RD
 AVON, NY 14414-9519

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 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 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

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for permit renewals, modifications and transfers

Applications for Permit Renewals and Modifications

Permit modifications, suspensions or revocations by the Department

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 8

HEADQUARTERS

Submission of application for permit modification or renewal-REGION 8

HEADQUARTERS



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

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

Item 1-1.1:

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 1-1.2:

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 1-1.3:

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 1: Facility Inspection by the Department
Applicable State Requirement: ECL 3-0301.2(g)

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 written or verbal notification is provided by the Department at least 24 hours prior to such inspection.

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. 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



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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 1-2: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 1-2.1:

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 1-2.2:

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 1-2.3:

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

Condition 1-3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 1-3.1:

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 1-3.2:

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 1-3.3:

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

Condition 1-4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 1-4.1:

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;



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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

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.

Condition 1-5: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 1-5.1:

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

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

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;

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c) new material information is discovered; or
d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(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
(716) 226-2466

Condition 1-6: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 1-6.1:

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
(716) 226-2466



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ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: COLUMBIA GAS TRANSMISSION CORP
PO BOX 1273
CHARLESTON, WV 25325-1273

Facility: CORNING COMPRESSOR STATION
4401 COLLEGE AVE
CORNING, NY 14830-9115

Authorized Activity By Standard Industrial Classification Code:
4922 - NATURAL GAS TRANSMISSION

Mod 0 Permit Effective Date: 02/27/1998

Permit Expiration Date: No expiration date.

Mod 1 Permit Effective Date: 10/03/2006

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 1-2 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 18 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 3 6NYCRR 200.7: Maintenance of equipment
- 1-3 6NYCRR 200.7: Maintenance of Equipment
- 1-4 6NYCRR 201-1.7: Recycling and Salvage
- 8 6NYCRR 201-1.7: Recycling and Salvage
- 1-5 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 9 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
- 1-6 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 11 6NYCRR 201-3.2(a): Proof of Eligibility
- 12 6NYCRR 201-3.3(a): Proof of Eligibility
- 1-7 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 202-1.1: Required emissions tests
- 1-8 6NYCRR 202-1.1: Required Emissions Tests
- 1-9 6NYCRR 211.3: Visible Emissions Limited
- 17 6NYCRR 211.3: Visible emissions limited.
- 1 6NYCRR 200.5: Sealing
- 2 6NYCRR 200.6: Acceptable ambient air quality
- 4 6NYCRR 201-1.1(a): Contaminant List
- 5 6NYCRR 201-1.2: Unpermitted Emission Sources
- 10 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 1-10 6NYCRR 201-7.2: Facility Permissible Emissions

Emission Unit Level

- 1-11 6NYCRR 201-7.2: Process Permissible Emissions

EU=G-EN001

- 1-12 40CFR 60.4340, NSPS Subpart KKKK: Compliance Demonstration

EU=G-EN001,Proc=GAS,ES=GEN01

- *1-13 6NYCRR 201-7.2: Capping Monitoring Condition

EU=G-EN001,Proc=GAS,ES=GEN03

- *1-14 6NYCRR 201-7.2: Capping Monitoring Condition
- 1-15 40CFR 60.4320(a), NSPS Subpart KKKK: Compliance Demonstration
- 1-16 40CFR 60.4365(a), NSPS Subpart KKKK: Compliance Demonstration
- 1-17 40CFR 60.4375(b), NSPS Subpart KKKK: Compliance Demonstration
- 1-18 40CFR 60.4400(b), NSPS Subpart KKKK: NOx performance testing methodology

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STATE ONLY ENFORCEABLE CONDITIONS

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- 1-19 ECL 19-0301: Contaminant List
- 1-20 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 22 6NYCRR 201-5: General Provisions: Facilities Subject to Subparts 201-5 and 201-6
- 23 6NYCRR 201-5: General Provisions: Facilities Subject to Subpart 201-5 but not 201-6
- 24 6NYCRR 201-5: Emission Unit Definition
- 16 6NYCRR 211.2: Air pollution prohibited
- 25 6NYCRR 217-3.2(a): Diesel truck opacity limitation
- 26 6NYCRR 217-3.2(b): Idling of diesel trucks limited

Emission Unit Level

- 27 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 28 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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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 - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR 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 - 6NYCRR Part 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



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occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item F: Recycling and Salvage - 6NYCRR Part 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 - 6NYCRR Part 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 Part 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 Part 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



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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 Part 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 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 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 - 6 NYCRR Part 215

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

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

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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 regulations.

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

Condition 1-1: Acceptable Ambient Air Quality
Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.6

Item 1-1.1:

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 1-2: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Item 1-2.1:

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



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Condition 18: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Item 18.1:

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

Condition 3: Maintenance of equipment
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.7

Item 3.1:

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 1-3: Maintenance of Equipment
Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.7

Item 1-3.1:

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 1-4: Recycling and Salvage
Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 1-4.1:

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 8: Recycling and Salvage
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 8.1:

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air



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contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Condition 1-5: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 1-5.1:

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

Condition 9: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 9.1:

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

Condition 1-6: Exempt Sources - Proof of Eligibility
Effective between the dates of 10/03/2006 and Permit Expiration Date

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

Item 1-6.1:

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 11: Proof of Eligibility
Effective between the dates of 02/27/1998 and Permit Expiration Date

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

Item 11.1:

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 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



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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.

Condition 12: Proof of Eligibility

Effective between the dates of 02/27/1998 and Permit Expiration Date

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

Item 12.1:

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.

Condition 1-7: Trivial Sources - Proof of Eligibility

Effective between the dates of 10/03/2006 and Permit Expiration Date

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

Item 1-7.1:

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 requirements, regulations, or law.

Condition 15: Required emissions tests

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 15.1:

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 6NYCRR Part 202-1.

Condition 1-8: Required Emissions Tests



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Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 1-8.1:

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. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 1-9: Visible Emissions Limited

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 1-9.1:

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

Condition 17: Visible emissions limited.

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 17.1:

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

Condition 1: Sealing

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(a) 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 labelling 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.

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(b) 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.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 2: Acceptable ambient air quality
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

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 4: Contaminant List
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.1(a)

Item 4.1:

Emissions of the following contaminants are allowed under this permit.

CAS No: 000050-00-0
Name: FORMALDEHYDE

CAS No: 000071-43-2
Name: BENZENE

CAS No: 000075-07-0
Name: ACETALDEHYDE

CAS No: 000100-41-4
Name: ETHYLBENZENE

CAS No: 000107-02-8
Name: ACROLEIN

CAS No: 000108-88-3
Name: TOLUENE

CAS No: 000110-54-3



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Name: HEXANE

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 001330-20-7

Name: XYLENE, M, O & P MIXT.

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

Item 4.2:

The Facility is authorized to emit the regulated contaminants cited in Item 4.1 from the emission units specified in this permit.

Condition 5: Unpermitted Emission Sources
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 5.1:

If an existing emission source was subject to the permitting requirements of 6NYCRR 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.

Condition 10: Public Access to Recordkeeping
Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.10(a)

Item 10.1:



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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.

Condition 1-10: Facility Permissible Emissions

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 1-10.1:

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

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

CAS No: 0NY210-00-0 (From Mod 1) PTE: 199,999 pounds per year
Name: OXIDES OF NITROGEN

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

Condition 1-11: Process Permissible Emissions

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 0-11.1:

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 0-17501 Process: 001

CAS No: 0NY210-00-0 (From Mod 0)
Name: OXIDES OF NITROGEN
PTE(s): 7 grams per brake horsepower-hour
21 pounds per hour
170,000 pounds per year

Emission Unit: G-EN001 Process: GAS

CAS No: 0NY210-00-0 (From Mod 1)



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Name: OXIDES OF NITROGEN

PTE(s): 22.29 pounds per hour

199,999 pounds per year

Condition 1-12: Compliance Demonstration

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4340, NSPS Subpart KKKK

Item 1-12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-EN001

Regulated Contaminant(s):

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

Item 1-12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must conduct an initial performance test as required in 40CFR60.8. The facility may either conduct subsequent performance tests as per 40CFR60.4340(a), or, as an alternative, install, calibrate, maintain and operate one of the continuous monitoring systems indicated in 40CFR60.4340(b).

Performance tests shall be conducted according to the methodologies listed in 40CFR60.4400(a)(1) through (3), as applicable.

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 1/30/2007.

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

Condition 1-13: Capping Monitoring Condition

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 1-13.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of



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

6NYCRR 201-6

6NYCRR 227-2

Item 1-13.2:

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

Item 1-13.3:

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

Item 1-13.4:

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

Item 1-13.5:

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

Item 1-13.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-EN001

Process: GAS

Emission Source: GEN01

Regulated Contaminant(s):

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

Item 1-13.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As part of the modifications to this facility involving the addition of GEN03 (Solar Mars 100-1500S combustion Turbine), GEN01 (the existing Ingersoll Rand 36 KVS 1240 hp IC engine) is to be modified by means of detailed



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Air-to-Fuel Ratio mapping, removal of integral physical constraints, modified ignition timing, and an increase in fuel pressure at precombustion chambers (PCC).

As a result of these modifications, GEN01 NOx emissions shall be limited to 14.76 pounds per hour.

The above limitation, coupled with the 25 ppm (dry, corrected to 15% Oxygen) limit on GEN03 (40CFR60, subpart KKKK, listed elsewhere in this permit) shall ensure that the overall facility emissions are capped at 99.9 tpy of NOx. Calculations showing the basis for this are detailed in the March 2006 revision to the permit application.

To ensure that the engine modifications to GEN01 continue to perform as required, a monitoring program shall be conducted, consisting of:

- 1) An engine analysis program, which will analyzes fuel consumption firing pressures, and component vibration.
- 2) A Best Management Program, which will provide data on all the critical operational parameters such as ignition timing and/or air-fuel manifold pressure.
- 3) An initial emissions test (conducted in accord with 40CFR 60 appendix A) performed within 180 days of the turbine start-up. Additional emissions tests shall be conducted every five years.

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 1/30/2007.

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

Condition 1-14: Capping Monitoring Condition

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 1-14.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following



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

6NYCRR 201-6

6NYCRR 227-2

Item 1-14.2:

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

Item 1-14.3:

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

Item 1-14.4:

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

Item 1-14.5:

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

Item 1-14.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-EN001

Process: GAS

Emission Source: GEN03

Regulated Contaminant(s):

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

Item 1-14.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission source GEN-03 (Solar Mars 100-1500S turbine) is limited to 7.01 pounds per hour of NOx emissions during normal operations, not including startups, shutdowns, periods of less than 75% load, and ambient temperature less than 0 degrees Fahrenheit. The monitoring outlined

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below shall insure permitted limits are met, and that the unit continues to perform as required to ensure compliance with 40CFR 60 Subpart KKKK and permitted limits. Monitoring shall consist of :

1. An engine analysis program, which will analyze fuel consumption, temperature, and component vibration.
2. A Best Management Program (BMP), which will provide data on all the critical operational parameters affecting proper operation of the unit, and therefore emissions. The BMP shall monitor parameters such as SoLoNOx operation, non-SoLoNOx operation, Natural Gas Producer (NGP) speed, and/or load.
3. The Best Management Program (BMP) shall include monitoring of adequate source operations on a 12-month rolling total to ensure continual compliance, even though it is possible that the unit can operate out of SoLoNOx condition and still comply with permitted limits and 40 CFR 60 Subpart KKKK requirements.
4. An initial full load (minimum 75% load) emissions test performed within 180 days of start-up or as soon as adequate pipeline conditions exist. After initial compliance test, the facility can either conduct annual emission tests (which can reduce to once every two years if consecutive test are <75% of 40 CFR 60 KKKK limits) or perform parametric monitoring. The emissions test will measure actual NOx emissions and shall be performed according to 40 CFR 60, appendix A.

The above limitation, coupled with the 14.76 pound per hour limit on GEN-01 (listed elsewhere in this permit) shall ensure that the overall facility emissions are capped at 99.9 tpy of NOx. Calculations showing the basis for this are detailed in the March 2006 revision to the permit application.

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 1/30/2007.

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

Condition 1-15: Compliance Demonstration



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

Item 1-15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-EN001

Process: GAS Emission Source: GEN03

Regulated Contaminant(s):

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

Item 1-15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For a facility with a new turbine firing natural gas and if the combustion turbine heat input at peak load (HHV) is greater than 50 mmBTU/hr and less than or equal to 850 mmBTU/hr, the facility must not exceed the NOx emission standard of 25 ppm at 15% O2 at loads greater than 75% and 150 ppm at 15% O2 at loads less than 75%.

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 1/30/2007.

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

Condition 1-16: Compliance Demonstration

Effective between the dates of 10/03/2006 and Permit Expiration Date

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

Item 1-16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-EN001

Process: GAS Emission Source: GEN03

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 1-16.2:



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Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO₂/J (0.060 lb SO₂/mmBtu) heat input.

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

- 1) The maximum total sulfur content for oil use is 0.05% by weight (500 ppmw) or less,
- 2) The total sulfur content for natural gas use is 20 grains of sulfur or less per 100 standard cubic feet, and
- 3) Has potential sulfur emissions of less than 26 ng SO₂/J (0.060 lb SO₂/mmBtu) heat input.

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 1/30/2007.

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

Condition 1-17: Compliance Demonstration

Effective between the dates of 10/03/2006 and Permit Expiration Date

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

Item 1-17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-EN001

Process: GAS

Emission Source: GEN03

Regulated Contaminant(s):

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

Item 1-17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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Monitoring Description:

For each affected unit that performs annual performance tests in accordance with §60.4340(a), the facility must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-18: NOx performance testing methodology

Effective between the dates of 10/03/2006 and Permit Expiration Date

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

Item 1-18.1:

This Condition applies to Emission Unit: G-EN001

Process: GAS

Emission Source: GEN03

Item 1-18.2:

The performance test must be done at any load condition within +/- 25% of 100% of peak load. The facility may perform testing at the highest achievable load point, if at least 75% of peak load cannot be achieved in practice. The facility must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.

For a combined cycle and CHP turbine systems with supplemental heat (duct burner), the facility must measure the total NOx emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

If water or steam injection is used to control NOx with no additional post-combustion NOx control and the facility chooses to monitor the steam or water to fuel ratio in accordance with §60.4335, then that monitoring system must be operated concurrently with each EPA Method 20 or 7E run and must be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.4320 NOx emission limit.

Compliance with the applicable emission limit in §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NOx emission rate at each tested level meets the applicable emission limit in §60.4320.

If the facility elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in §60.4405) as part of the initial performance test of the affected unit.

The ambient temperature must be greater than 0F during the performance test.



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 - 6NYCRR Part 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

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STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 1-19: Contaminant List

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 1-19.1:

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Condition 1-20: Unavoidable noncompliance and violations

Effective between the dates of 10/03/2006 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 1-20.1:

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



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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 22: General Provisions: Facilities Subject to Subparts 201-5 and 201-6
Effective between the dates of 02/27/1998 and Permit Expiration Date**

Applicable State Requirement: 6NYCRR 201-5

Item 22.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 22.2:

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.

Item 22.3:

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



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Item 22.4:

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.

Condition 23: General Provisions: Facilities Subject to Subpart 201-5 but not 201-6

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 23.1:

The emission of pollutants in exceedance of the applicability thresholds for obtaining a Title V facility permit or other applicable requirements constitutes a violation of Part 201 and of the Act.

Condition 24: Emission Unit Definition

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 24.1(From Mod 1):

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

Emission Unit: G-EN001

Emission Unit Description:

Ingersoll Rand 36KVS 1240 HP reciprocating internal combustion engine, a 66 HP Ford standby generator, a Solar Mars 100-1500-S 1500 HP combustion Turbine, and a 250 KW standby generator.

Building(s): BLDG

Condition 16: Air pollution prohibited

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 16.1:

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

Condition 25: Diesel truck opacity limitation



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Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 217-3.2(a)

Item 25.1:

No person who owns, operates or leases a vehicle propelled by a diesel engine or who owns, leases or occupies land and has actual or apparent dominion or control over the operation of a vehicle propelled by a diesel engine which is present on said land, shall operate said vehicle or allow or permit it to be operated, in such a manner that exhaust emissions of a shade of blue, black, or gray equal to or greater than No. 1 on the Ringelmann chart (20 percent opacity) or equivalent standard acceptable to the commissioner are produced for a continuous period of more than five seconds when the vehicle is in motion.

Condition 26: Idling of diesel trucks limited

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 217-3.2(b)

Item 26.1:

No person who owns, operates or leases a bus or truck, the motive power for which is provided by a diesel engine or who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of a bus or truck present on such land, the motive power for which said bus or truck is provided by a diesel engine, shall allow or permit the diesel engine of such bus or truck to idle for more than five consecutive minutes when the bus or truck is not in motion, except as otherwise permitted by 6 NYCRR Subpart 217-3.3.

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

Condition 27: Emission Point Definition By Emission Unit

Effective between the dates of 02/27/1998 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 27.1(From Mod 1):

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

Emission Unit: G-EN001

Emission Point: 00001

Height (ft.): 30

Diameter (in.): 2

Building: BLDG

Emission Point: 00002

Height (ft.): 15

Diameter (in.): 3

Building: BLDG

Emission Point: 00003



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Height (ft.): 42

Diameter (in.): 96

Building: BLDG

Emission Point: 00004

Height (ft.): 32

Diameter (in.): 8

Building: BLDG

**Condition 28: Process Definition By Emission Unit
Effective between the dates of 02/27/1998 and Permit Expiration Date**

Applicable State Requirement: 6NYCRR 201-5

Item 28.1(From Mod 1):

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

Emission Unit: G-EN001

Process: GAS

Source Classification Code: 2-02-002-02

Process Description: Natural gas transmission

Emission Source/Control: GEN01 - Process

Emission Source/Control: GEN02 - Process

Emission Source/Control: GEN03 - Process

Emission Source/Control: GEN04 - Process