

New York State Department of Environmental Conservation

Permit ID: 3-1326-00275/00004

Facility DEC ID: 3132600275



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: CRICKET VALLEY ENERGY CENTER LLC
31 MILK ST STE 1001
BOSTON, MA 02109

Facility: CRICKET VALLEY ENERGY CENTER
2241 ST RTE 22
DOVER PLAINS, NY 12518

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

Permit Effective Date:

Permit Expiration Date:



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EU=U-00001

40 46 40CFR 60.7(a)(3), NSPS Subpart A: Compliance Demonstration

EU=U-00001,Proc=P02,ES=AUX01

41 47 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
41 48 40CFR 60.48c(g)(2), NSPS Subpart Dc: Alternative recordkeeping

EU=U-00001,EP=EP001,Proc=P02,ES=AUX01

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EU=U-00002

45 55 40CFR 60.7(a)(3), NSPS Subpart A: Compliance Demonstration

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EU=U-00004,EP=EP004,Proc=P06,ES=0FP01

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EU=U-00001,Proc=P02,ES=AUX01

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FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or



modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

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

Item E: Emergency Defense - 6 NYCRR 201-1.5

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

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

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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

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

No person shall unnecessarily remove, handle, or cause to be handled,



collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

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

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

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

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

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

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

Item K: Visible Emissions Limited - 6 NYCRR 211.3

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

Item L: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person

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shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item M: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

**Condition 1: Title V Permit Requirement
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 201-6.3 (a) (2)

Item 1.1:

A Title V permit application must be submitted to the Department within one year of commencement of operation of this facility.

**Condition 2: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 202-1

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For those permit conditions which require emission testing, a test protocol of the methods and procedures shall be submitted to the Department at least 6 months before the facility commences operation. Once the protocol is approved, testing must be conducted within one year after commencing operation. A report of the test results must be submitted within 60 days after completion of the test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 3: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 3.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001 Process: P01	Emission Point: EP001 Emission Source: CT001
Emission Unit: U-00001 Process: P01	Emission Point: EP001 Emission Source: DB001
Emission Unit: U-00001 Process: P02	Emission Point: EP001 Emission Source: AUX01
Emission Unit: U-00002 Process: P04	Emission Point: EP002 Emission Source: CT002
Emission Unit: U-00002 Process: P04	Emission Point: EP002 Emission Source: DB002
Emission Unit: U-00003 Process: P05	Emission Point: EP003 Emission Source: CT003
Emission Unit: U-00003 Process: P05	Emission Point: EP003 Emission Source: DB003

Item 3.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator shall operate a combustion installation which



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exhibits greater than 20 percent opacity, except for one six minute period per hour of not more than 27 percent.

The permittee will conduct observations of visible emissions, in accordance with reference test Method 9 in 40 CFR 60 Appendix A, at the monitoring frequency stated below while the applicable process is in operation.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: ANNUALLY
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 4: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 4.1:

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

Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG01
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG02
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG03
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG04
Emission Unit: U-00004 Process: P06	Emission Point: EP004 Emission Source: OFP01

Item 4.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator shall operate a combustion installation which exhibits greater than 20 percent opacity. except for one six minute period per hour of not more than 27 percent. The Department reserves the right to perform or require the performance of a Method 9 visible emission observation.

Parameter Monitored: OPACITY



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Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-5.4

Item 5.1:

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

Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG01
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG02
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG03
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG04

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

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NOx emissions from each black-start generator are limited to 2.13 grams per horsepower hour as LAER. Compliance will be demonstrated by vendor certification, which shall be kept at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 6: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-5.4

Item 6.1:

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

Emission Unit: U-00001	Emission Point: EP001
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VOC emissions from each combustion turbine without duct burning are limited to 1.0 ppmv at 15 percent oxygen. This limit is considered LAER. This level of emissions will be achieved by utilizing good combustion control and an oxidation catalyst. Stack testing shall be conducted to demonstrate compliance with the limit.

Upper Permit Limit: 1.0 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Method 25A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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

Applicable Federal Requirement:6 NYCRR 231-5.4

Item 8.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001
Process: P01

Emission Point: EP001

Emission Unit: U-00002
Process: P04

Emission Point: EP002

Emission Unit: U-00003
Process: P05

Emission Point: EP003

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

VOC emissions from each combustion turbine with duct burning are limited to 2.0 ppmv at 15 percent oxygen. This limit is considered LAER. This level of emissions will be achieved by utilizing good combustion control and an oxidation catalyst. Stack testing shall be conducted to demonstrate compliance with the limit.

Upper Permit Limit: 2.0 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Method 25A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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Condition 9: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-5.4

Item 9.1:

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

Emission Unit: U-00001
Process: P01

Emission Point: EP001

Emission Unit: U-00002
Process: P04

Emission Point: EP002

Emission Unit: U-00003
Process: P05

Emission Point: EP003

Regulated Contaminant(s):

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

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOx emissions from each combustion turbine with and without duct burning are limited to 2.0 ppmv at 15 percent oxygen. This limit is considered LAER, CEMS will be used to demonstrate compliance. The limit applies at all load conditions, except startup and shutdown.

Manufacturer Name/Model Number: NOx analyzer

Upper Permit Limit: 2.0 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Method 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 10: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-5.5

Item 10.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

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Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility potential to emit NOx is 279.4 tons per year. NOx emissions must be offset by a ratio of 1.15 to 1. Therefore, the permittee must obtain 321.3 tons of NOx emission reduction credits in accordance with Part 231-5.2(d).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 11: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-5.5

Item 11.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility potential to emit VOC is 118.1 tons per year. VOC emissions must be offset by a ratio of 1.15 to 1. Therefore, the permittee must obtain 135.8 tons of VOC emission reduction credits in accordance with Part 231-5.2(d).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 12: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 12.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: P03

Emission Point: EP001

Emission Source: BSG01

Emission Unit: U-00001

Process: P03

Emission Point: EP001

Emission Source: BSG02



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Emission Unit: U-00001
Process: P03

Emission Point: EP001
Emission Source: BSG03

Emission Unit: U-00001
Process: P03

Emission Point: EP001
Emission Source: BSG04

Regulated Contaminant(s):
CAS No: 007664-93-9 **SULFURIC ACID**

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfuric acid emissions from each black-start generator are limited to 0.00003 pounds per million BTU as BACT. Compliance will be demonstrated by combusting only ultra low sulfur diesel fuel with a maximum sulfur content of 0.0015 percent by weight. The facility will receive from the fuel supplier a manifest which indicates the sulfur content in the fuel.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE
MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 13: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 13.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001
Process: P03

Emission Point: EP001
Emission Source: BSG01

Emission Unit: U-00001
Process: P03

Emission Point: EP001
Emission Source: BSG02

Emission Unit: U-00001
Process: P03

Emission Point: EP001
Emission Source: BSG03

Emission Unit: U-00001
Process: P03

Emission Point: EP001
Emission Source: BSG04

Regulated Contaminant(s):

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CAS No: 0NY075-00-0 PARTICULATES

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

PM10 (or PM2.5) emissions from each black-start generator are limited 0.15 grams per horsepower hour as BACT. Compliance will be demonstrated by vendor certification, which shall be kept at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 14: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 14.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG01
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG02
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG03
Emission Unit: U-00001 Process: P03	Emission Point: EP001 Emission Source: BSG04
Regulated Contaminant(s): CAS No: 007446-09-5	SULFUR DIOXIDE

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfur dioxide emissions from each black-start generator are limited to 0.002 pounds per million BTU as BACT. Compliance will be demonstrated by combusting only ultra low sulfur diesel fuel with a maximum sulfur content of 0.0015 percent sulfur by weight. The facility will receive from the fuel supplier a manifest which indicates the sulfur content in the fuel.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

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Process Material: DIESEL OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 15: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 15.1:

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

Table with 2 columns: Emission Unit/Process and Emission Point/Source. Rows include units U-00001 and processes P03 with various emission points (EP001) and sources (BSG01-04). Includes Regulated Contaminant(s): CAS No: 000630-08-0 CARBON MONOXIDE.

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Carbon monoxide emissions from each black-start generator are limited to 2.6 grams per horsepower hour as BACT. Compliance will be demonstrated by vendor certification, which shall be kept at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 16: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 16.1:

The Compliance Demonstration activity will be performed for the facility:

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Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

PM10 (or PM2.5) emissions from each combustion turbine without duct burning are limited to 0.005 pounds per million BTU as BACT. This level of emissions will be achieved by combusting commercially available, pipeline quality natural gas in the turbines. Stack testing shall be conducted to demonstrate compliance.

Upper Permit Limit: 0.005 pounds per million Btus

Reference Test Method: Methods 201 / 201A and 202

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 18: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 231-7.6

Item 18.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001
Process: P01

Emission Point: EP001

Emission Unit: U-00002
Process: P04

Emission Point: EP002

Emission Unit: U-00003
Process: P05

Emission Point: EP003

Regulated Contaminant(s):

CAS No: 007664-93-9

SULFURIC ACID

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfuric acid emissions from each combustion turbine with duct burning are limited to 0.006 pounds per million BTU as BACT. This level of emissions will be achieved by combusting commercially available, pipeline quality natural gas with a maximum sulfur content of 0.5 grains per 100 cubic feet. The facility shall conduct sampling of the natural gas to demonstrate compliance with the sulfur limit.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

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Applicable Federal Requirement:6 NYCRR 231-7.6

Item 20.1:

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

Emission Unit: U-00001 Emission Point: EP001
Process: P01

Emission Unit: U-00002 Emission Point: EP002
Process: P04

Emission Unit: U-00003 Emission Point: EP003
Process: P05

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

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Carbon monoxide emissions from each combustion turbine with and without duct burning are limited to 2.0 ppmv at 15 percent oxygen. This limit is considered BACT. This level of emissions will be achieved by utilizing good combustion control and an oxidation catalyst. The limit applies at all load conditions, except startup and shutdown. CEMS will be used to demonstrate compliance.

Manufacturer Name/Model Number: CO analyzer

Upper Permit Limit: 2.0 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Method 10

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 21: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 21.1:

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

Emission Unit: U-00001 Emission Point: EP001
Process: P01

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Emission Unit: U-00002
Process: P04

Emission Point: EP002

Emission Unit: U-00003
Process: P05

Emission Point: EP003

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 21.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfur dioxide emissions from each combustion turbine with and without duct burning are limited to 0.0015 pounds per million BTU as BACT. This level of emissions will be achieved by combusting commercially available, pipeline natural gas with a maximum sulfur content of 0.5 grains per 100 cubic feet. The facility shall conduct sampling of the natural gas to demonstrate compliance with the sulfur limit.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 grains per 100 dscf

Monitoring Frequency: ANNUALLY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 22: Permit Requirements
Effective for entire length of Permit

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

Item 22.1:

The CAIR designated representative of each CAIR NO_x Ozone Season source shall:

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

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

The owners and operators of each CAIR NO_x Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.

Condition 23: Monitoring requirements
Effective for entire length of Permit

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

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Item 23.1:

The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

**Condition 24: NOx Ozone Season Emission Requirements
Effective for entire length of Permit**

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

Item 24.1:

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

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

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

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

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

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

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

**Condition 25: Excess emission requirements
Effective for entire length of Permit**

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



Item 25.1:

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

(1) the owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

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

**Condition 26: Recordkeeping and reporting requirements
Effective for entire length of Permit**

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

Item 26.1:

Unless otherwise provided, the owners and operators of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.

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

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

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

**Condition 27: Authorization and responsibilities of CAIR designated representative
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 243-2.1

Item 27.1:

Except as provided under section 243-2.2, each CAIR NO_x Ozone Season source, including all CAIR NO_x Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NO_x Ozone Season Trading Program concerning the source or any CAIR NO_x Ozone Season unit at the source.

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The CAIR designated representative of the CAIR NOx Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NOx Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx Ozone Season source represented and each CAIR NOx Ozone Season unit at the source in all matters pertaining to the CAIR NOx Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

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

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

**Condition 28: Certificate of representation
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 243-2.4

Item 28.1:

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

**Condition 29: General requirements
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 243-8.1

Item 29.1:

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

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

- (1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);
- (2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph 243-8.1(a)(1); and
- (3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

**Condition 30: Prohibitions
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 243-8.1

Item 30.1:

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

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

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

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other

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approved monitoring system under this Subpart, except under any one of the following circumstances:

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

Condition 31: Quarterly reports
Effective for entire length of Permit

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

Item 31.1:

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

If the CAIR NOx Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NOx emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NOx mass emissions) for such unit for the entire year and shall report the NOx mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

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

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

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

Condition 32: Compliance certification
Effective for entire length of Permit

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



Item 32.1:

The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

- (1) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications;
- (2) for a unit with add-on NOx emission controls and for all hours where NOx data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NOx emissions; and
- (3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NOx emission rate and NOx concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NOx emissions.

**Condition 33: CAIR NOx Annual Trading Program General Conditions
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 244-1

Item 33.1:

- 1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NOx allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NOx units at the source during that control period. A CAIR NOx allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated. [244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]
- 2) The owners and operators shall hold in their compliance account, CAIR NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NOx unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter. [244-1.6(c)(2)]
- 3) If a CAIR NOx source emits nitrogen oxides during any control period in excess of the CAIR NOx emissions limitation, the owners and operators of the CAIR NOx source shall surrender the CAIR NOx allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d)]
- 4) Unless otherwise provided, the owners and operators of the CAIR NOx source shall keep on site each of the following documents for a period of five years from the date the document is



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created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

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

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

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

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

**Condition 34: Designated CAIR Representative
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 34.1:

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

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

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



Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 35.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

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

(2) The CAIR designated representative shall submit quarterly reports of the the NOx mass emissions data and heat input data for each CAIR NOx unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

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

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

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are



correctly and fully monitored. The certification shall state that:

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

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

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

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

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

Condition 36: CAIR SO2 Trading Program General Provisions



Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 245-1

Item 36.1:

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

[(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

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

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

[(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO₂ source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

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

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.

**Condition 37: Designated CAIR Representative
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 245-2



Item 37.1:

1) Each CAIR SO₂ source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO₂ Trading Program. The CAIR designated representative of the CAIR SO₂ source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO₂ units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO₂ source represented and each CAIR SO₂ unit at the source in all matters pertaining to the CAIR SO₂ Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO₂ Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO₂ source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [245-2.1(e)]

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

Applicable Federal Requirement: 6 NYCRR Subpart 245-8

Item 38.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 38.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO₂ emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO₂ unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such



requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO2 unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO2 unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO2 unit. [245-8.1]

2)The owner or operator of each CAIR SO2 unit shall: [245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO2 mass emissions and individual unit heat input (including all systems required to monitor SO2 concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

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

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

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

(i) For the CAIR SO2 unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO2 unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO2 mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring



system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

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

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

7) The owner or operator of a CAIR SO₂ unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

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

9) The CAIR designated representative shall submit quarterly reports of the SO₂ mass emissions data and heat input data for each CAIR SO₂ unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

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

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

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

11) For CAIR SO₂ units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x Annual Trading Program, CAIR NO_x

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Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO₂ mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [245-8.5(e)]

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

ii) for a unit with add-on SO₂ emission controls and for all hours where SO₂ data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO₂ emissions.

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

**Condition 39: EPA Region 2 address.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 39.1:

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

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

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

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

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Condition 40: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.7(a)(1), NSPS Subpart A

Item 40.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 40.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the date construction (or reconstruction as defined under 40 CFR Part 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 41: Recordkeeping requirements.
Effective for entire length of Permit

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

Item 41.1:

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

Condition 42: Monitoring requirements.
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 42.1:

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

Condition 43: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.4335, NSPS Subpart KKKK

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Item 44.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content, reports of excess emissions and monitor downtime shall be submitted in accordance with 40 CFR 60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

Applicable Federal Requirement:40CFR 72.9, Subpart A

Item 45.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 45.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility representative shall submit an acid rain permit application at least 24 months prior to commencing facility operation.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

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

Applicable Federal Requirement:40CFR 60.7(a)(3), NSPS Subpart A

Item 46.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 46.2:

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Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 47: Compliance Demonstration
Effective for entire length of Permit

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

Item 47.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: P02

Emission Source: AUX01

Item 47.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the affected emission source shall submit notification of the actual start-up date postmarked within 15 days after such date.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 48: Alternative recordkeeping
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.48c(g)(2), NSPS Subpart Dc

Item 48.1:

This Condition applies to Emission Unit: U-00001

Process: P02

Emission Source:

AUX01

Item 48.2: As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in 40 CFR 60.48c(f)



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Emission Unit: U-00001
Process: P02

Emission Point: EP001
Emission Source: AUX01

Regulated Contaminant(s):
CAS No: 007664-93-9 SULFURIC ACID

Item 52.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfuric acid emissions from the auxiliary boiler shall not exceed 0.0001 pounds per million BTU as BACT. Compliance will be achieved by combusting pipeline quality natural gas with a maximum sulfur content of 0.5 grains per 100 cubic feet. The facility shall conduct sampling of the natural gas to demonstrate compliance with the sulfur limit.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 grains per 100 dscf

Monitoring Frequency: ANNUALLY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 53: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 53.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001
Process: P02

Emission Point: EP001
Emission Source: AUX01

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 53.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

PM10 (or PM2.5) emissions from the auxiliary boiler shall not exceed 0.005 pounds per million BTU using clean burning pipeline quality natural gas in conjunction with good combustion practices. This limit represents BACT. Compliance will be demonstrated by vendor certification, which shall be kept at the facility.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 56: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.7(a)(3), NSPS Subpart A

Item 56.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Item 56.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 57: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-5.4

Item 57.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00004

Emission Point: EP004

Process: P06

Emission Source: OFP01

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 57.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

VOC emissions from the emergency fire pump are limited to 0.097 grams per horsepower hour as LAER. Compliance will be demonstrated by vendor certification, which shall be kept at the facility.

New York State Department of Environmental Conservation

Permit ID: 3-1326-00275/00004

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CAS No: 007446-09-5 SULFUR DIOXIDE

Item 61.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfur dioxide emissions from the emergency fire pump are limited to 0.002 pounds per million BTU as BACT. Compliance will be demonstrated by only combusting ultra low sulfur diesel fuel with a maximum sulfur content of 0.0015 percent sulfur by weight. The facility will receive from the fuel supplier a manifest which indicates the sulfur content in the fuel.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Applicable Federal Requirement:6 NYCRR 231-7.6

Item 62.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00004

Emission Point: EP004

Process: P06

Emission Source: 0FP01

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 62.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Carbon monoxide emissions from the emergency fire pump are limited to 0.53 grams per horsepower hour as BACT. Compliance will be demonstrated by vendor certification, which shall be kept at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

**Condition 63: Contaminant List
Effective for entire length of Permit**

Applicable State Requirement:ECL 19-0301

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Item 63.1:

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

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

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

CAS No: 007664-41-7
Name: AMMONIA

CAS No: 007664-93-9
Name: SULFURIC ACID

CAS No: 0NY075-00-0
Name: PARTICULATES

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

CAS No: 0NY998-00-0
Name: VOC

**Condition 64: Unavoidable noncompliance and violations
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 201-1.4

Item 64.1:

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



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operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded 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 65: Emission Unit Definition
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 65.1:

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit consists of one combustion turbine generator, one heat recovery steam generator with supplemental duct firing, one auxiliary boiler, and four black start generators. Emissions from all equipment in this unit exhaust through one stack.

Building(s): ACC01
CTGEN01
HRSG01

Item 65.2:

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

Emission Unit: U-00002

Emission Unit Description:

This emission unit consists of one combustion turbine generator and one heat recovery steam generator with supplemental duct firing.

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Building(s): ACC02
CTGEN01
HRSG02

Item 65.3:

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

Emission Unit: U-00003

Emission Unit Description:

This emission unit consists of one combustion turbine generator and one heat recovery steam generator with supplemental duct firing.

Building(s): ACC03
CTGEN01
HRSG03

Item 65.4:

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

Emission Unit: U-00004

Emission Unit Description:

This emission unit represents the emergency fire pump at the facility.

Building(s): WATANK

**Condition 66: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 66.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001	Emission Point: EP001
Process: P01	Emission Source: CT001

Emission Unit: U-00002	Emission Point: EP002
Process: P04	Emission Source: CT002

Emission Unit: U-00003	Emission Point: EP003
Process: P05	Emission Source: CT003

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

Item 66.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Ammonia emissions from each combustion turbine stack shall not exceed 5.0 ppm at all load conditions. CEMS will be used to demonstrate

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compliance with this limit.

Manufacturer Name/Model Number: Ammonia analyzer
Upper Permit Limit: 5.0 parts per million (by volume)
Reference Test Method: 40 CFR 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 3 calendar month(s).

Condition 67: Visible Emissions Limited
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 211.2

Item 67.1:

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 68: CO2 Budget Trading Program - Excess emission requirements
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 242-1.5

Item 68.1:

The owners and operators of a CO2 budget source that has excess emissions in any control period shall:

- (1) forfeit the CO2 allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO2 offset allowances may not be used to cover any part of such excess emissions; and
- (2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).

Condition 69: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 242-1.5

Item 69.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 69.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators and, to the extent applicable, the CO2 authorized account representative of each CO2 budget source and each CO2 budget unit at the source shall comply with the monitoring requirements of Subpart 242-8. The emissions measurements recorded

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and reported in accordance with Subpart 242-8 of this Part shall be used to determine compliance by the unit with the following CO2 requirements:

(1) The owners and operators of each CO2 budget source and each CO2 budget unit at the source shall hold CO2 allowances available for compliance deductions under Section 242-6.5, as of the CO2 allowance transfer deadline, in the source's compliance account in an amount not less than the total CO2 emissions for the control period from all CO2 budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.

(2) Each ton of CO2 emitted in excess of the CO2 budget emissions limitation shall constitute a separate violation of this Part and applicable state law.

(3) A CO2 budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.

(4) CO2 allowances shall be held in, deducted from, or transferred among CO2 Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.

(5) A CO2 allowance shall not be deducted, in order to comply with the requirements specified in item 1, for a control period that ends prior to the allocation year for which the CO2 allowance was allocated. A CO2 offset allowance shall not be deducted, in order to comply with the requirements under item 1, beyond the applicable percent limitations set out in 6NYCRR Part 242-6.5(a)(3).

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 70: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 242-1.5

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Item 70.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 70.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of the CO2 budget source and each CO2 budget unit at the source shall keep on site at the source each of the following documents for a period of 10 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 10 years, in writing by the department.

(i) The account certificate of representation for the CO2 authorized account representative for the source and each CO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 6 NYCRR Part 242-2.4, provided that the certificate and documents shall be retained on site at the source beyond such 10-year period until such documents are superseded because of the submission of a new account certificate of representation.

(ii) All emissions monitoring information, in accordance with Subpart 242-8 and 40 CFR 75.57.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CO2 Budget Trading Program.

(iv) Copies of all documents used to complete a CO2 budget permit application and any other submission under the CO2 Budget Trading Program or to demonstrate compliance with the requirements of the CO2 Budget Trading Program.

The CO2 authorized account representative of a CO2 budget source and each CO2 budget unit at the source shall submit the reports and compliance certifications required under the CO2 Budget Trading Program, including those under Subpart 242-4.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

**Condition 71: Emission Point Definition By Emission Unit
Effective for entire length of Permit**



Applicable State Requirement:6 NYCRR Subpart 201-5

Item 71.1:

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

Emission Unit: U-00001

Emission Point: EP001

Height (ft.): 283

Diameter (in.): 228

NYTMN (km.): 4614.8

NYTME (km.): 618.142

Item 71.2:

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

Emission Unit: U-00002

Emission Point: EP002

Height (ft.): 283

Diameter (in.): 228

NYTMN (km.): 4614.792

NYTME (km.): 618.15

Item 71.3:

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

Emission Unit: U-00003

Emission Point: EP003

Height (ft.): 283

Diameter (in.): 228

NYTMN (km.): 4614.792

NYTME (km.): 618.144

Item 71.4:

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

Emission Unit: U-00004

Emission Point: EP004

Height (ft.): 50

Diameter (in.): 8

NYTMN (km.): 4614.954

NYTME (km.): 618.216

**Condition 72: Process Definition By Emission Unit
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 72.1:

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

Emission Unit: U-00001

Process: P01

Source Classification Code: 2-01-002-01

Process Description:

This process represents natural gas combustion in the combustion turbine and the duct burner. Dry low NO_x combustion technology and

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selective catalytic reduction will be used to control NOx emissions from the process. An oxidation catalyst will be used to control emissions of carbon monoxide and VOC.

Emission Source/Control: CT001 - Combustion
Design Capacity: 2,061 million Btu per hour

Emission Source/Control: DB001 - Combustion
Design Capacity: 379 million Btu per hour

Emission Source/Control: DLN01 - Control
Control Type: DRY LOW NOx BURNER

Emission Source/Control: OXC01 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR01 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 72.2:

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

Emission Unit: U-00001
Process: P02 Source Classification Code: 1-02-006-02
Process Description:
This process represents natural gas combustion in the auxiliary boiler. Hours of operation of the boiler will be limited to 4500 hours per year, which equates to 257 million cubic feet of natural gas consumption per year.

Emission Source/Control: AUX01 - Combustion
Design Capacity: 60 million Btu per hour

Emission Source/Control: FGR01 - Control
Control Type: FLUE GAS RECIRCULATION

Emission Source/Control: LNB01 - Control
Control Type: LOW NOx BURNER

Item 72.3:

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

Emission Unit: U-00001
Process: P03 Source Classification Code: 2-02-001-02
Process Description:
This process represents diesel oil combustion in the four black start generators.

Emission Source/Control: BSG01 - Combustion
Design Capacity: 3,000 kilowatts

Emission Source/Control: BSG02 - Combustion

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Design Capacity: 3,000 kilowatts

Emission Source/Control: BSG03 - Combustion
Design Capacity: 3,000 kilowatts

Emission Source/Control: BSG04 - Combustion
Design Capacity: 3,000 kilowatts

Item 72.4:

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

Emission Unit: U-00002

Process: P04

Source Classification Code: 2-01-002-01

Process Description:

This process represents natural gas combustion in the combustion turbine and the duct burner. Dry low NO_x combustion technology and selective catalytic reduction will be used to control NO_x emissions from the process. An oxidation catalyst will be used to control emissions of carbon monoxide and VOC.

Emission Source/Control: CT002 - Combustion
Design Capacity: 2,061 million Btu per hour

Emission Source/Control: DB002 - Combustion
Design Capacity: 379 million Btu per hour

Emission Source/Control: DLN02 - Control
Control Type: DRY LOW NO_x BURNER

Emission Source/Control: OXC02 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR02 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 72.5:

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

Emission Unit: U-00003

Process: P05

Source Classification Code: 2-01-002-01

Process Description:

This process represents natural gas combustion in the combustion turbine and the duct burner. Dry low NO_x combustion technology and selective catalytic reduction will be used to control NO_x emissions from the process. An oxidation catalyst will be used to control emissions of carbon monoxide and VOC.

Emission Source/Control: CT003 - Combustion
Design Capacity: 2,061 million Btu per hour

Emission Source/Control: DB003 - Combustion
Design Capacity: 379 million Btu per hour

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Emission Source/Control: DLN03 - Control
Control Type: DRY LOW NOx BURNER

Emission Source/Control: OXC03 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR03 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 72.6:

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

Emission Unit: U-00004

Process: P06

Source Classification Code: 2-02-001-02

Process Description:

This process represents diesel oil combustion in the emergency fire pump. The emergency fire pump will operate no more than 500 hours per year.

Emission Source/Control: 0FP01 - Combustion

Design Capacity: 460 horsepower (electric)

**Condition 73: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 73.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: P02

Emission Source: AUX01

Item 73.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operation of the auxiliary boiler is limited to 4500 hours per year.
This will be enforced by restricting natural gas usage in the auxiliary boiler to 257 million cubic feet per year.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NATURAL GAS

Upper Permit Limit: 257 million cubic feet per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

